## EXHIBIT 34

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1
              UNITED STATES DISTRICT COURT
            FOR THE NORTHERN DISTRICT OF OHIO
 2
                    EASTERN DIVISION
 3
       IN RE: NATIONAL
                                MDL No. 2804
 4
      PRESCRIPTION
                             )
       OPIATE LITIGATION
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                              )
                                 Case No.
                                 1:17-MD-2804
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       THIS DOCUMENT RELATES ) Hon. Dan A.
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                             ) Polster
       TO ALL CASES
 8
                TUESDAY, JANUARY 15, 2019
 9
        HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER
10
                 CONFIDENTIALITY REVIEW
11
12
                Videotaped deposition of Karen
13
     Harper, held at the offices of STINSON
14
     LEONARD STREET LLP, 7700 Forsyth Boulevard,
15
      Suite 1000, St. Louis, Missouri, commencing
      at 9:09 a.m., on the above date, before
16
      Carrie A. Campbell, Registered Diplomate
17
18
     Reporter and Certified Realtime Reporter.
19
20
21
22
               GOLKOW LITIGATION SERVICES
23
          877.370.3377 ph | 917.591.5672 fax
                     deps@golkow.com
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25
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JACKSON KELLY, PLLC	1 INDEX
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(Exhibits attached to the deposition.)  (Exhibits attached to the deposition and the miles.)  (In a videographer for Golkow.)  (In a videographer for deposes and says on behalf of the Plaintiffs, as follows:  (In the truth, the whole truth, deposes and says on behalf of the Plaintiffs, as follows:  (In the truth, the whole truth, deposes and says on behalf of the Plaintiffs.)  (In the truth, the whole truth, deposes and says on behalf of the Plaintiffs.)  (In the truth, the whole truth, deposes and says on behalf of the Plaintiffs.)  (In the truth, the whole truth, deposes and says on behalf of the Plaintiffs.)  (In the truth, the whole truth, deposes and says on behalf of the Plaintiffs.)  (In the truth, the whole		Harper 62 MNK-T1_0000387492		•
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25 will now swear in the witness. 09:10:21    Page 11		(2.mois analica to the deposition)	24	
Page 11  VIDEOGRAPHER: We are now on 08:49:49  the record. My name is James Arndt. 09:08:57  T'm a videographer for Golkow 09:09:00  Litigation Services. 09:09:01  Today's date is January 15th of 09:09:05  Today's date is January 15th of 09:09:05  Held in St. Louis, Missouri, in the 09:09:09  matter of the National Prescription 09:09:11  District of Ohio, Eastern Division. 09:09:17  The deponent is Karen Harper. 09:09:18  Will counsel please identify 09:09:22  MR. KO: Bofor we get started, 09:10:30  counsel had provided some documents, 09:10:33  counsel had provided some documents, 09:10:38  lincluding some documents apparently 09:10:40  Will counsel please identify 09:09:22  MR. KO: Good morning. David 09:09:25  MR. KO: Bofor we get started, 09:10:30  I just wanted to note for the record 09:10:32  themselves. 09:09:27  We didn't get a chance to 09:10:44  Page 13  KAREN HARPER,  1 KAREN HARPER,  1 KAREN HARPER,  2 of lawful age, having been first duly sworn  3 to tell the truth, the whole truth and  nothing but the truth, deposes and says on  behalf of the Plaintiffs, as follows:  NR. KO: Before we get started, 09:10:30  That yesterday evening Mallinckrodt's 09:10:32  that yesterday evening Mallinckrodt's 09:10:33  To counsel had provided some documents, 09:10:33  another production of documents, 09:10:38  including some documents apparently 09:10:39  from Ms. Harper's custodial file. It 09:10:40  appears to be a fairly substantial 09:10:44  production. 09:10:46  We didn't get a chance to 09:10:47  review those, so I just wanted to note 09:10:49  right to reopen this deposition based 09:10:50  on that review. 09:10:52  MS. HERZFELD: Tricia Herzfeld, 09:09:31  MR. COCNNOR: And we believe 09:10:53  the Tennessee plaintiffs. 09:09:31  MS. FIX MEYER: Julie Fix 09:09:34  And I'm happy to discuss that further, 09:10:59	24		25	
the record. My name is James Arndt. 09:08:57  the record. My name is James Arndt. 09:08:57  l'm a videographer for Golkow 09:09:00  Litigation Services. 09:09:01  Today's date is January 15th of 09:09:05  Today's date is January 15th of 09:09:05  This video deposition is being 09:09:07  This video deposition is being 09:09:09  This video deposition is being 09:09:07  This video deposition is being 09:09:09  This video deposition is being 09:09:09:11  This video deposition is being 09:09:11  This video deposition is being 09:09:09:11  This video deposition is being 09:09:09:11  This video deposition is being 09:09:11  This video deposition is being 09:10:30  This video deposition is duits for the Plaintiffs in any way, 09:10:59  This video deposition is being 09:09:31  This video deposition is being 09:09:09:11  This video deposition is being 09:09:10:12  This video deposition is being 09:09:10:12  This video deposition is being 09:09:11  This video deposition is being 09:09:10:30  This video depos	25			
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	22			
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	Page 14		Page 16
1	characterization. 09:11:01	1	Okay? 09:12:23
2	DIRECT EXAMINATION 09:11:03	2	A. Yes. 09:12:24
3	QUESTIONS BY MR. KO: 09:11:04	3	Q. I think we're here for a fairly 09:12:25
4	Q. Good morning. We met earlier, 09:11:05	4	long time today, so to the extent you need 09:12:27
5	just a moment ago. 09:11:06	5	breaks throughout the day, please feel free 09:12:30
6	Could you please state and 09:11:07	6	to ask and I'll do my best to accommodate. 09:12:3
7	spell your name for the record? 09:11:09	7	Okay? 09:12:35
8	A. Yes. Karen Harper, K-a-r-e-n, 09:11:09	8	A. Thank you. 09:12:36
9	H-a-r-p-e-r. 09:11:12	9	Q. Ms. Harper, is there anything 09:12:36
10	Q. Ms. Harper, where do you 09:11:14	10	that you can think of today that will prevent 09:12:41
11	currently reside? 09:11:16	11	you from testifying truthfully and honestly? 09:12:4
12	A. St. Louis County, Missouri. 09:11:17	12	A. No. 09:12:46
13	Q. Okay. And I know that you have 09:11:19	13	Q. Great. 09:12:46
14	had your deposition taken at least once 09:11:21	14	Ms. Harper, what did you do to 09:12:47
15	before in connection with a matter involving 09:11:23	15	prepare for this deposition today? 09:12:51
16	Island Drug Pharmacy. 09:11:28	16	A. I met with my attorneys. 09:12:52
17	Have you had your deposition 09:11:29	17	Q. Okay. And who are they? 09:12:54
18	taken at any other time other than that 09:11:30	18	A. Ropes & Gray. 09:12:55
19	instance? 09:11:32	19	Q. Okay. And Mr. O'Connor and 09:12:58
20	A. Earlier in my life, before I 09:11:32	20	Mr. Davison sitting here today, are those the 09:13:0
21	was an employee of Mallinckrodt. 09:11:35	21	two individuals that you met with? 09:13:02
22	Q. Okay. So how many times have 09:11:37	22	A. Yes, among others. 09:13:03
23	you been deposed? 09:11:38	23	Q. Okay. And how many attorneys 09:13:04
24	A. Two twice. 09:11:38	24	did you meet with? 09:13:06
25	Q. Okay. So you understand 09:11:40	25	A. At least one other. 09:13:06
	Page 15		Page 17
1	probably some of the ground rules, but I just 09:11:42	1	Q. Okay. And how many times did 09:13:08
2	want to remind you of a few that are 09:11:44	2	you meet? 09:13:09
3	important to me today. 09:11:47	3	A. Five times. 09:13:09
4	The court reporters have the 09:11:48	4	Q. Okay. So you met for five 09:13:10
5	most important job here in transcribing 09:11:49	5	different days or five different sessions? 09:13:13
6			•
	everything that we're saying, so it's 09:11:52	6	A. Five different sessions. 09:13:14
7	important that we don't talk over one 09:11:53	7	<ul><li>A. Five different sessions. 09:13:14</li><li>Q. Okay. And how many hours total 09:13:16</li></ul>
7 8	important that we don't talk over one 09:11:53 another. So please wait until I finish my 09:11:54	7 8	A. Five different sessions. 09:13:14  Q. Okay. And how many hours total 09:13:16  would you say that would be? 09:13:17
8 9	important that we don't talk over one 09:11:53 another. So please wait until I finish my 09:11:54 question before you move on to your response, 09:11:56	7 8 9	A. Five different sessions. 09:13:14 Q. Okay. And how many hours total 09:13:16 would you say that would be? 09:13:17 A. The first two sessions were 09:13:18
8 9 10	important that we don't talk over one 09:11:53 another. So please wait until I finish my 09:11:54 question before you move on to your response, 09:11:56 and likewise, I'll wait until you finish your 09:11:58	7 8 9 10	A. Five different sessions. 09:13:14 Q. Okay. And how many hours total 09:13:16 would you say that would be? 09:13:17 A. The first two sessions were 09:13:18 eight two eight-hour days, so 16 and 16, 09:13:21
8 9 10 11	important that we don't talk over one 09:11:53 another. So please wait until I finish my 09:11:54 question before you move on to your response, 09:11:56 and likewise, I'll wait until you finish your 09:11:58 question {sic} before I move on to my next 09:12:00	7 8 9 10 11	A. Five different sessions. 09:13:14 Q. Okay. And how many hours total 09:13:16 would you say that would be? 09:13:17 A. The first two sessions were 09:13:18 eight two eight-hour days, so 16 and 16, 09:13:21 32. Then we had an eight-hour day, 40, and 09:13:26
8 9 10 11	important that we don't talk over one 09:11:53 another. So please wait until I finish my 09:11:54 question before you move on to your response, 09:11:56 and likewise, I'll wait until you finish your 09:11:58 question {sic} before I move on to my next 09:12:00 question. 09:12:03	7 8 9 10 11 12	A. Five different sessions. 09:13:14 Q. Okay. And how many hours total 09:13:16 would you say that would be? 09:13:17 A. The first two sessions were 09:13:18 eight two eight-hour days, so 16 and 16, 09:13:21 32. Then we had an eight-hour day, 40, and 09:13:20 another two eight-hour days. So 56 hours. 09:13:30
8 9 10 11 12	important that we don't talk over one 09:11:53 another. So please wait until I finish my 09:11:54 question before you move on to your response, 09:11:56 and likewise, I'll wait until you finish your 09:11:58 question {sic} before I move on to my next 09:12:00 question. 09:12:03 Does that sound good? 09:12:03	7 8 9 10 11 12	A. Five different sessions. 09:13:14 Q. Okay. And how many hours total 09:13:16 would you say that would be? 09:13:17 A. The first two sessions were 09:13:18 eight two eight-hour days, so 16 and 16, 09:13:21 32. Then we had an eight-hour day, 40, and 09:13:20 another two eight-hour days. So 56 hours. 09:13:30 Q. Sounds like a lot of 09:13:34
8 9 10 11 12 13	important that we don't talk over one 09:11:53 another. So please wait until I finish my 09:11:54 question before you move on to your response, 09:11:56 and likewise, I'll wait until you finish your 09:11:58 question {sic} before I move on to my next 09:12:00 question. 09:12:03 Does that sound good? 09:12:03 A. Yes. 09:12:04	7 8 9 10 11 12 13	A. Five different sessions. 09:13:14 Q. Okay. And how many hours total 09:13:16 would you say that would be? 09:13:17 A. The first two sessions were 09:13:18 eight two eight-hour days, so 16 and 16, 09:13:21 32. Then we had an eight-hour day, 40, and 09:13:20 another two eight-hour days. So 56 hours. 09:13:30 Q. Sounds like a lot of 09:13:34 preparation. 09:13:36
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8 9 10 11 12 13 14 15 16 17 18 19 20	important that we don't talk over one another. So please wait until I finish my 09:11:54 question before you move on to your response, 09:11:56 and likewise, I'll wait until you finish your 09:11:58 question {sic} before I move on to my next 09:12:00 question. 09:12:03  Does that sound good? 09:12:03  A. Yes. 09:12:04  Q. And to the extent I ask a yes 09:12:05 or no question, I would ask that you actually 09:12:07 in fact answer yes or no, if that's your 09:12:11 response, rather than shaking your head or 09:12:11 nodding your head. 09:12:15  A. Understood. 09:12:16	7 8 9 10 11 12 13 14 15 16 17 18 19	A. Five different sessions. 09:13:14 Q. Okay. And how many hours total 09:13:16 would you say that would be? 09:13:17 A. The first two sessions were 09:13:18 eight two eight-hour days, so 16 and 16, 09:13:21 32. Then we had an eight-hour day, 40, and 09:13:20 another two eight-hour days. So 56 hours. 09:13:30 Q. Sounds like a lot of 09:13:34 preparation. 09:13:36 Other than your outside 09:13:37 counsel, or other than Ropes & Gray, were 09:13:44 there any other people present during your 09:13:44 meetings? 09:13:50 Q. Okay. And in those meetings, 09:13:50
8 9 10 11 12 13 14 15 16 17 18 19 20 21	important that we don't talk over one another. So please wait until I finish my 09:11:54 question before you move on to your response, 09:11:56 and likewise, I'll wait until you finish your 09:11:58 question {sic} before I move on to my next 09:12:00 question. 09:12:03  Does that sound good? 09:12:03  A. Yes. 09:12:04 Q. And to the extent I ask a yes 09:12:05 or no question, I would ask that you actually 09:12:07 in fact answer yes or no, if that's your 09:12:11 response, rather than shaking your head or 09:12:11 nodding your head. 09:12:15  A. Understood. 09:12:16 Q. Okay. And from time to time 09:12:16	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Five different sessions. 09:13:14 Q. Okay. And how many hours total 09:13:16 would you say that would be? 09:13:17 A. The first two sessions were 09:13:18 eight two eight-hour days, so 16 and 16, 09:13:21 32. Then we had an eight-hour day, 40, and 09:13:21 another two eight-hour days. So 56 hours. 09:13:30 Q. Sounds like a lot of 09:13:34 preparation. 09:13:36 Other than your outside 09:13:37 counsel, or other than Ropes & Gray, were 09:13:42 there any other people present during your 09:13:44 meetings? 09:13:49 A. No. 09:13:50 Q. Okay. And in those meetings, 09:13:50 did you review any documents? 09:13:53
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	important that we don't talk over one another. So please wait until I finish my 09:11:54 question before you move on to your response, 09:11:56 and likewise, I'll wait until you finish your 09:11:58 question {sic} before I move on to my next 09:12:00 question. 09:12:03  Does that sound good? 09:12:03  A. Yes. 09:12:04  Q. And to the extent I ask a yes 09:12:05 or no question, I would ask that you actually 09:12:07 in fact answer yes or no, if that's your 09:12:11 response, rather than shaking your head or 09:12:15  A. Understood. 09:12:16  Q. Okay. And from time to time 09:12:16 counsel at this table may object to my 09:12:17	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Five different sessions. 09:13:14 Q. Okay. And how many hours total 09:13:16 would you say that would be? 09:13:17 A. The first two sessions were 09:13:18 eight two eight-hour days, so 16 and 16, 09:13:21 32. Then we had an eight-hour day, 40, and 09:13:20 another two eight-hour days. So 56 hours. 09:13:30 Q. Sounds like a lot of 09:13:34 preparation. 09:13:36 Other than your outside 09:13:37 counsel, or other than Ropes & Gray, were 09:13:44 there any other people present during your 09:13:44 meetings? 09:13:49 A. No. 09:13:50 Q. Okay. And in those meetings, 09:13:50 did you review any documents? 09:13:53 A. Yes. 09:13:54
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	important that we don't talk over one another. So please wait until I finish my 09:11:54 question before you move on to your response, 09:11:56 and likewise, I'll wait until you finish your 09:11:58 question {sic} before I move on to my next 09:12:00 question. 09:12:03  Does that sound good? 09:12:03  A. Yes. 09:12:04  Q. And to the extent I ask a yes 09:12:05 or no question, I would ask that you actually 09:12:07 in fact answer yes or no, if that's your 09:12:11 response, rather than shaking your head or 09:12:11 nodding your head. 09:12:15  A. Understood. 09:12:16  Q. Okay. And from time to time 09:12:16 counsel at this table may object to my 09:12:17 questioning, but unless you get a clear 09:12:19	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Five different sessions. 09:13:14 Q. Okay. And how many hours total 09:13:16 would you say that would be? 09:13:17 A. The first two sessions were 09:13:18 eight two eight-hour days, so 16 and 16, 09:13:21 32. Then we had an eight-hour day, 40, and 09:13:20 another two eight-hour days. So 56 hours. 09:13:30 Q. Sounds like a lot of 09:13:34 preparation. 09:13:36 Other than your outside 09:13:37 counsel, or other than Ropes & Gray, were 09:13:44 meetings? 09:13:49 A. No. 09:13:50 Q. Okay. And in those meetings, 09:13:50 did you review any documents? 09:13:53 A. Yes. 09:13:54 Q. Okay. And did were those 09:13:55
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	important that we don't talk over one another. So please wait until I finish my 09:11:54 question before you move on to your response, 09:11:56 and likewise, I'll wait until you finish your 09:11:58 question {sic} before I move on to my next 09:12:00 question. 09:12:03  Does that sound good? 09:12:03  A. Yes. 09:12:04  Q. And to the extent I ask a yes 09:12:05 or no question, I would ask that you actually 09:12:07 in fact answer yes or no, if that's your 09:12:11 response, rather than shaking your head or 09:12:15  A. Understood. 09:12:16  Q. Okay. And from time to time 09:12:16 counsel at this table may object to my 09:12:17	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Five different sessions. 09:13:14 Q. Okay. And how many hours total 09:13:16 would you say that would be? 09:13:17 A. The first two sessions were 09:13:18 eight two eight-hour days, so 16 and 16, 09:13:21 32. Then we had an eight-hour day, 40, and 09:13:20 another two eight-hour days. So 56 hours. 09:13:30 Q. Sounds like a lot of 09:13:34 preparation. 09:13:36 Other than your outside 09:13:37 counsel, or other than Ropes & Gray, were 09:13:44 there any other people present during your 09:13:44 meetings? 09:13:49 A. No. 09:13:50 Q. Okay. And in those meetings, 09:13:50 did you review any documents? 09:13:53 A. Yes. 09:13:54

6 current or former employees of Mallinckrodt? 09:14:18 7 A. Only to the extent that I 09:14:20 7 A. In March of 1975. 8 needed to be absent from work. 09:14:23 8 Q. Okay. So there wa 9 Q. Okay. Are you aware that other 09:14:26 9 period of about approximate 10 former and current employees of Mallinckrodt 09:14:31 10 between when you ceased go 11 have been deposed? 09:14:32 11 college and when you started 12 A. Yes. 09:14:33 12 Mallinckrodt?	09:15:45 09:15:46 09:15:46 ou first start 09:15:47 09:15:49 09:15:50 as a brief 09:15:53
2 documents in any of these meetings? 09:14:04 3 A. Not in those meetings. 09:14:06 4 Q. Okay. In preparation for this 09:14:09 5 deposition today, have you spoken with any 09:14:15 6 current or former employees of Mallinckrodt? 09:14:18 7 A. Only to the extent that I 09:14:20 8 needed to be absent from work. 09:14:23 9 Q. Okay. When did y working at Mallinckrodt? 7 A. In March of 1975. 8 needed to be absent from work. 09:14:23 9 Q. Okay. So there was period of about approximate 10 former and current employees of Mallinckrodt 09:14:31 10 between when you ceased go 11 have been deposed? 09:14:32 11 College and when you started 12 A. Yes. 09:14:33	09:15:45 09:15:46 09:15:46 ou first start 09:15:47 09:15:49 09:15:50 as a brief 09:15:53
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9 Q. Okay. Are you aware that other 09:14:26 10 former and current employees of Mallinckrodt 09:14:31 11 have been deposed? 09:14:32 12 A. Yes. 09:14:33 19 period of about approximate 10 between when you ceased go 11 college and when you started 12 Mallinckrodt?	
former and current employees of Mallinckrodt 09:14:31 10 between when you ceased go 11 have been deposed? 09:14:32 11 college and when you started 12 A. Yes. 09:14:33 12 Mallinckrodt?	ely one year 09:15:54
11 have been deposed? 09:14:32 11 college and when you started 12 A. Yes. 09:14:33 12 Mallinckrodt?	-
12 A. Yes. 09:14:33 12 Mallinckrodt?	
	d working at 09:15:58
	09:16:00
Q. Okay. Have you spoken with any 09:14:34 13 A. Yes.	09:16:00
14 of those deponents? 09:14:36 14 Q. Okay. And what w	as your first 09:16:00
15 A. No, sir. 09:14:37 15 job at Mallinckrodt?	09:16:02
Q. Okay. You know who Bill 09:14:38 16 A. Clerk typist.	09:16:02
17 Ratliff is, right? 09:14:41 17 Q. Okay. And clerk ty	ypist for 09:16:05
18 A. Yes. 09:14:42 18 what division or department	? 09:16:08
Q. Have you spoken with him about 09:14:42 19 A. Purchasing group in	n the 09:16:09
20 this deposition at all? 09:14:44 20 corporate area.	09:16:12
21 A. No. 09:14:44 21 Q. Okay. And how lo	ong did you do 09:16:12
Q. Okay. Do you know who John 09:14:45 22 that?	09:16:15
23 Gillies is? 09:14:48 23 A. Approximately one	e year. 09:16:15
24 A. Yes. 09:14:48 24 Q. Okay. I may want	to walk 09:16:18
Q. Have you spoken with him? 09:14:48 25 through each position you have	ad at 09:16:24
Page 19	Page 21
	t we try this way. 09:16:25
Q. Okay. Ms. Harper, where did 09:14:53 2 When did you first	
3 you go to school? I mean, college, excuse 09:14:55 3 senior manager of controlle	
4 me. 09:14:58 4 compliance?	09:16:32
5 A. I only have a couple of years 09:14:58 5 A. I don't remember t	
	•
6 partial college credits, and so that was at 09:15:00 6 Q. Okay. Do you ren	nember if it 09:16:35
7 community college district, St. Louis, 09:15:03 7 was the late '70s or the early	nember if it 09:16:35 y '80s? 09:16:36
7 community college district, St. Louis, 09:15:03 7 was the late '70s or the early 8 Missouri. 09:15:06 8 A. I'm sorry, I don't re	nember if it 09:16:35 y '80s? 09:16:36 emember the 09:16:41
7 community college district, St. Louis, 09:15:03 7 was the late '70s or the early 8 Missouri. 09:15:06 8 A. I'm sorry, I don't respectively. Q. Okay. And what was the name of 09:15:06 9 year.	nember if it 09:16:35 y '80s? 09:16:36 emember the 09:16:41 09:16:42
7 community college district, St. Louis, 09:15:03 7 was the late '70s or the early 8 Missouri. 09:15:06 8 A. I'm sorry, I don't re 9 Q. Okay. And what was the name of 09:15:06 9 year. 10 that school? 09:15:07 10 Q. Okay. And when the late '70s or the early 9 year. 10 Q. Okay. And when the late '70s or the early 10 A. I'm sorry, I don't re 10 Year. 10 Q. Okay. And when the late '70s or the early 10 Year. 10 Q. Okay. And when the late '70s or the early 10 Year. 10 Year	nember if it 09:16:35 y '80s? 09:16:36 emember the 09:16:41 09:16:42 I say 09:16:42
7 community college district, St. Louis, 09:15:03 7 was the late '70s or the early 8 Missouri. 09:15:06 8 A. I'm sorry, I don't re 9 Q. Okay. And what was the name of 09:15:06 9 year. 10 that school? 09:15:07 10 Q. Okay. And when 11 A. Meramec Community College. 09:15:07 11 "controlled substance comp	nember if it 09:16:35 y '80s? 09:16:36 emember the 09:16:41 09:16:42 I say 09:16:42 lliance," it's my 09:16:43
7 community college district, St. Louis, 09:15:03 7 was the late '70s or the early 8 Missouri. 09:15:06 8 A. I'm sorry, I don't recommunity College. 09:15:07 10 Q. Okay. And when 11 A. Meramec Community College. 09:15:07 11 "controlled substance computed Q. Okay. And did you actually 09:15:09 12 understanding that the group	nember if it 09:16:35 y '80s? 09:16:36 emember the 09:16:41 09:16:42 Il say 09:16:42 diance," it's my 09:16:43 p was actually 09:16:44
7 community college district, St. Louis, 09:15:03 7 was the late '70s or the early 8 Missouri. 09:15:06 8 A. I'm sorry, I don't respectively 10 that school? 09:15:07 10 Q. Okay. And what was the name of 09:15:07 11 A. Meramec Community College. 09:15:07 12 "controlled substance computed Q. Okay. And did you actually 09:15:09 12 understanding that the group obtain a degree? 09:15:11 13 called DEA compliance at the substance of the early 15 was the late '70s or the early 15 was the late '70s or the early 15 was the late '70s or the early 16 was the late '70s or the early 17 was the late '70s or the early 16 was the late '70s or the early 17 was the late '70s or the early 18 was the late '70s or the early 19 was the late '70s or the early 18 was t	nember if it 09:16:35 y '80s? 09:16:36 emember the 09:16:41 09:16:42 Il say 09:16:42 diance," it's my 09:16:43 p was actually 09:16:44
7 community college district, St. Louis, 09:15:03 7 was the late '70s or the early 8 Missouri. 09:15:06 8 A. I'm sorry, I don't respectively 10 that school? 09:15:07 10 Q. Okay. And what was the name of 09:15:07 11 A. Meramec Community College. 09:15:07 12 Q. Okay. And did you actually 09:15:09 12 understanding that the group obtain a degree? 09:15:11 13 called DEA compliance at the proof of the early 10 percentage of the early 11 percentage of the early 12 percentage of the early 12 percentage of the early 13 percentage of the early 14 percentage of the early 15 percentage of the early 15 percentage of the early 16 percentage of the early 17 percentage of the early 18 percentage of the early 19 percentage of the	nember if it 09:16:35 y '80s? 09:16:36 emember the 09:16:41 09:16:42 I say 09:16:42 diance," it's my 09:16:43 p was actually 09:16:44 the time. 09:16:46
7 community college district, St. Louis, 09:15:03 7 was the late '70s or the early 8 Missouri. 09:15:06 8 A. I'm sorry, I don't respectively 10 that school? 09:15:07 10 Q. Okay. And what was the name of 09:15:07 11 A. Meramec Community College. 09:15:07 12 "controlled substance computed Q. Okay. And did you actually 09:15:09 12 understanding that the group obtain a degree? 09:15:11 13 called DEA compliance at the substance of the early 15 was the late '70s or the early 15 was the late '70s or the early 15 was the late '70s or the early 16 was the late '70s or the early 17 was the late '70s or the early 16 was the late '70s or the early 17 was the late '70s or the early 18 was the late '70s or the early 19 was the late '70s or the early 18 was t	nember if it 09:16:35 y '80s? 09:16:36 emember the 09:16:41 09:16:42 I say 09:16:42 liance," it's my 09:16:43 p was actually 09:16:44 the time. 09:16:46
7 community college district, St. Louis, 09:15:03 7 was the late '70s or the early 8 Missouri. 09:15:06 8 A. I'm sorry, I don't respectively 10 that school? 09:15:07 10 Q. Okay. And what was the name of 09:15:07 11 A. Meramec Community College. 09:15:07 12 Q. Okay. And did you actually 09:15:09 12 understanding that the group obtain a degree? 09:15:11 13 called DEA compliance at the proof of the early 11 and 12 percentage. 12 understanding that the group 12 understanding that the group 13 obtain a degree? 09:15:11 14 A. Correct.	nember if it 09:16:35 y '80s? 09:16:36 emember the 09:16:41 09:16:42 I say 09:16:42 liance," it's my 09:16:43 p was actually 09:16:44 the time. 09:16:46
7 community college district, St. Louis, 09:15:03 7 was the late '70s or the early Missouri. 09:15:06 8 A. I'm sorry, I don't result of that school? 09:15:07 10 Q. Okay. And what was the name of 09:15:07 10 Q. Okay. And when 11 A. Meramec Community College. 09:15:07 11 "controlled substance computed Q. Okay. And did you actually 09:15:09 12 understanding that the group obtain a degree? 09:15:11 13 called DEA compliance at the property of the early was the late '70s or the early was the late	nember if it 09:16:35 y '80s? 09:16:36 emember the 09:16:41 09:16:42 Il say 09:16:42 diance," it's my 09:16:43 p was actually 09:16:44 the time. 09:16:46 09:16:48
7 community college district, St. Louis, 09:15:03 7 was the late '70s or the early 8 Missouri. 09:15:06 8 A. I'm sorry, I don't respectively 10 that school? 09:15:07 10 Q. Okay. And what was the name of 09:15:07 11 A. Meramec Community College. 09:15:07 12 Q. Okay. And did you actually 09:15:09 12 understanding that the group obtain a degree? 09:15:11 13 called DEA compliance at the A. I did not. 09:15:11 14 A. Correct. 15 Q. Okay. And where did you by 09:15:12 15 Q. Does that comport 16 the way, what year did you stop going to 09:15:18 16 understanding? 17 A. Yes. Yes.	nember if it 09:16:35 y '80s? 09:16:36 emember the 09:16:41 09:16:42 I say 09:16:42 liance," it's my 09:16:43 p was actually 09:16:44 the time. 09:16:46 09:16:48 with your 09:16:49 09:16:50
7 community college district, St. Louis, 09:15:03 7 was the late '70s or the early 8 Missouri. 09:15:06 8 A. I'm sorry, I don't respectively 10 that school? 09:15:07 10 Q. Okay. And what was the name of 09:15:07 11 A. Meramec Community College. 09:15:07 12 Q. Okay. And did you actually 09:15:09 12 understanding that the group obtain a degree? 09:15:11 13 called DEA compliance at the A. I did not. 09:15:11 14 A. Correct. 15 Q. Okay. And where did you by 09:15:12 15 Q. Does that comport 16 the way, what year did you stop going to 09:15:18 16 understanding? 17 A. Yes. Yes.	nember if it 09:16:35 y '80s? 09:16:36 emember the 09:16:41 09:16:42 Il say 09:16:42 diance," it's my 09:16:43 p was actually 09:16:44 the time. 09:16:48 ewith your 09:16:49 09:16:50 09:16:50 no recollection 09:16:51
7 community college district, St. Louis, 09:15:03 7 was the late '70s or the early Missouri. 09:15:06 8 A. I'm sorry, I don't respectively on that school? 09:15:07 10 Q. Okay. And what was the name of 09:15:07 11 Q. Okay. And when one of 09:15:07 12 Q. Okay. And did you actually 09:15:09 12 understanding that the group obtain a degree? 09:15:11 13 called DEA compliance at the A. I did not. 09:15:11 14 A. Correct. 15 Q. Okay. And where did you by 09:15:12 15 Q. Does that comport the way, what year did you stop going to 09:15:18 16 understanding? 17 school? 09:15:20 17 A. Yes. Yes. 18 A. So I graduated from high school 09:15:20 18 Q. And so you have not seem to see the properties of the way of the way.	nember if it 09:16:35 y '80s? 09:16:36 emember the 09:16:41 09:16:42 Il say 09:16:42 diance," it's my 09:16:43 p was actually 09:16:44 the time. 09:16:46 09:16:48 twith your 09:16:49 09:16:50 09:16:50 no recollection 09:16:51
7 community college district, St. Louis, 09:15:03  8 Missouri. 09:15:06  9 Q. Okay. And what was the name of 09:15:06  10 that school? 09:15:07  11 A. Meramec Community College. 09:15:07  12 Q. Okay. And did you actually 09:15:09  13 obtain a degree? 09:15:11  14 A. I did not. 09:15:11  15 Q. Okay. And where did you by 09:15:12  16 the way, what year did you stop going to 09:15:18  17 op:15:20  18 A. I'm sorry, I don't read to general to genera	nember if it 09:16:35 y '80s? 09:16:36 emember the 09:16:41 09:16:42 I say 09:16:42 diance," it's my 09:16:43 p was actually 09:16:44 the time. 09:16:46 09:16:48 with your 09:16:49 09:16:50 no recollection 09:16:51 manager of DEA 09:16:54 09:16:56
7 community college district, St. Louis, 09:15:03  8 Missouri. 09:15:06  9 Q. Okay. And what was the name of 09:15:06  10 that school? 09:15:07  11 A. Meramec Community College. 09:15:07  12 Q. Okay. And did you actually 09:15:09  13 obtain a degree? 09:15:11  14 A. I did not. 09:15:11  15 Q. Okay. And where did you by 09:15:12  16 the way, what year did you stop going to 09:15:18  17 or was the late '70s or the early was the late '70s or the late '10s or the late '	nember if it 09:16:35 y '80s? 09:16:36 emember the 09:16:41 09:16:42 Il say 09:16:42 diance," it's my 09:16:43 p was actually 09:16:44 he time. 09:16:46 09:16:48 s with your 09:16:49 09:16:50 no recollection 09:16:51 manager of DEA 09:16:54 09:16:56 a, but I 09:16:56
7 community college district, St. Louis, 09:15:03  8 Missouri. 09:15:06  9 Q. Okay. And what was the name of 09:15:06  10 that school? 09:15:07  11 A. Meramec Community College. 09:15:07  12 Q. Okay. And did you actually 09:15:09  13 obtain a degree? 09:15:11  14 A. I did not. 09:15:11  15 Q. Okay. And where did you by 09:15:12  16 the way, what year did you stop going to 09:15:18  17 object the way, what year did you stop going to 09:15:18  18 A. I'm sorry, I don't really year.  19 understanding that the group of the way of the w	nember if it 09:16:35 y '80s? 09:16:36 emember the 09:16:41 09:16:42 I say 09:16:42 liance," it's my 09:16:43 p was actually 09:16:44 the time. 09:16:46 09:16:48 t with your 09:16:49 09:16:50 no recollection 09:16:51 manager of DEA 09:16:54 09:16:56 n, but I 09:16:56 m sorry. 09:17:00
7 community college district, St. Louis, 09:15:03  8 Missouri. 09:15:06  9 Q. Okay. And what was the name of 09:15:06  10 that school? 09:15:07  11 A. Meramec Community College. 09:15:07  12 Q. Okay. And did you actually 09:15:09  13 obtain a degree? 09:15:11  14 A. I did not. 09:15:11  15 Q. Okay. And where did you by 09:15:12  16 the way, what year did you stop going to 09:15:18  17 school? 09:15:20  18 A. So I graduated from high school 09:15:20  19 and took intermittent college classes but 09:15:22  20 never achieved a degree. So I graduated from 09:15:28  21 high school in 1974. 09:15:28  22 Q. Okay. And after you stopped 09:15:30  7 was the late '70s or the early and was the name of 09:15:06  9 year.  10 Q. Okay. And when 11 "controlled substance computed understanding that the group and called DEA compliance at the properties of the way, what year did you stop going to 09:15:18  14 A. Correct.  15 Q. Does that comported understanding?  17 A. Yes. Yes.  18 Q. And so you have not of when you became senior 20 compliance?  20 compliance?  21 A. I have recollection 22 can't remember the year. I'm 20 the properties of 20 can't remember the year. I'm 20 the properties of 20 can't remember the year. I'm 20 the properties of 20 can't remember the year. I'm 20 the properties of 20 can't remember the year. I'm 20 the properties of 20 can't remember the year. I'm 20 the properties of 20 can't remember the year. I'm 20 the properties of 20 can't remember the year. I'm 20 the properties of 20 can't remember the year. I'm 20 the properties of 20 can't remember the year. I'm 20 the properties of 20 can't remember the year. I'm 20 the properties of 20 can't remember the year. I'm 20 the properties of 20 the properties of 20 can't remember the year. I'm 20 the properties of 20 the properties	nember if it 09:16:35 y '80s? 09:16:36 emember the 09:16:41 09:16:42 I say 09:16:42 liance," it's my 09:16:43 p was actually 09:16:44 he time. 09:16:46 09:16:48 t with your 09:16:49 09:16:50 no recollection 09:16:51 manager of DEA 09:16:54 09:16:56 h, but I 09:16:56 m sorry. 09:17:00 s your 09:17:02
7 community college district, St. Louis, 09:15:03  8 Missouri. 09:15:06  9 Q. Okay. And what was the name of 09:15:06  10 that school? 09:15:07  11 A. Meramec Community College. 09:15:07  12 Q. Okay. And did you actually 09:15:09  13 obtain a degree? 09:15:11  14 A. I did not. 09:15:11  15 Q. Okay. And where did you by 09:15:12  16 the way, what year did you stop going to 09:15:18  17 school? 09:15:20  18 A. So I graduated from high school 09:15:20  19 and took intermittent college classes but 09:15:26  20 never achieved a degree. So I graduated from 09:15:28  21 high school in 1974. 09:15:28  22 Q. Okay. And after you stopped 09:15:30  23 going to community college, where did you 09:15:35  7 was the late '70s or the early a A. I'm sorry, I don't region at the school of the way, and what in a controlled substance computing understanding that the group understanding that the group understanding that the group understanding?  13 called DEA compliance at the school of the way, what year did you stop going to 09:15:18  14 A. Correct.  15 Q. Does that comport understanding?  17 A. Yes. Yes.  18 Q. And so you have region of when you became senior compliance?  20 of when you became senior compliance?  21 A. I have recollection and the year. I'm going to community college, where did you 09:15:34  23 Q. Okay. And what i recollection? Is it approximates the proving the properties of the school of the school of the properties of the arm some properties.	nember if it 09:16:35 y '80s? 09:16:36 emember the 09:16:41 09:16:42 I say 09:16:42 liance," it's my 09:16:43 p was actually 09:16:44 he time. 09:16:48 with your 09:16:49 09:16:50 09:16:50 no recollection 09:16:51 manager of DEA 09:16:54 09:16:56 n, but I 09:16:56 m sorry. 09:17:00 s your 09:17:02

	<u> </u>		<u> </u>
	Page 22		Page 24
1	2	1	A. Yes. 09:18:52
2	A. It would have been in the in 09:17:10	2	Q. Okay. And by the way, have you 09:18:55
3	the after 2000. 09:17:13	3	ever worked for the DEA? 09:18:59
4	Q. After 2000? 09:17:14	4	A. No. 09:19:00
5	A. Yes. 09:17:15	5	Q. Have you ever worked for the 09:19:01
6	Q. Okay. So from the period 09:17:16	6	government? 09:19:02
7	between when you became senior manager of 09:17:17	7	A. No. 09:19:02
8	controlled substance compliance, or DEA 09:17:21	8	Q. Have you worked in any for 09:19:03
9	compliance, and when you were first started 09:17:23 at Mallinckrodt, there was approximately 09:17:26	9	any employer that whose responsibility it 09:19:07
10		10	was to perform diversion-type activities on 09:19:11 controlled substances? 09:19:16
12	25 years that had passed? 09:17:28  A. Yes. 09:17:29	12	A. No. 09:19:16
13	Q. Okay. And how was it that you 09:17:29	13	Q. Okay. Other than the one year 09:19:17
14	became senior manager of that group after 09:17:38	14	between finishing your or other than the 09:19:19
15	starting as a clerical typist? 09:17:42	15	one year between when you stopped going to 09:19:23
16	A. I moved into senior manager 09:17:45	16	community college and when you started 09:19:26
17	after I went to the controlled substances 09:17:48	17	working at Mallinckrodt, fair to say that you 09:19:28
18	compliance group. I was a coordinator in 09:17:52	18	had no other employment? 09:19:30
19	that department, then became manager and then 09:17:55	19	In other words, from 1975 to 09:19:33
20	became senior manager. 09:17:58	20	present, you have always worked at 09:19:34
21	Q. Okay. And when did you become 09:17:59	21	Mallinckrodt, correct? 09:19:35
22	coordinator of the DEA compliance/CSC? 09:18:04	22	A. That is correct. 09:19:36
23	A. I'm not certain of the year. 09:18:07	23	Q. Okay. At the time you joined 09:19:37
24	2001, approximate. 09:18:11	24	in 2001, the approximate 2001 time period, 09:19:43
25	Q. Okay. That's I believe 09:18:13	25	when you joined the DEA compliance team, 09:19:46
	· · · · ·		· · ·
	Page 23		Page 25
1	that's when you said you became senior 09:18:15	1	approximately how large was that team? 09:19:49
2	manager. 09:18:17	2	A. Three or four people. 09:19:51
3	I was asking when you first 09:18:18	3	Q. Okay. And who were those three 09:19:53
5	became a coordinator, as you described 09:18:19 earlier. Approximately when was that? 09:18:21	5	or four people? 09:19:54
6	earlier. Approximately when was that? 09:18:21  A. No, sir, I'm sorry. I think I 09:18:22	6	A. My manager and two other 09:19:54 compliance coordinators. 09:20:00
7	said I became senior manager after year 2000, 09:18:24	7	1
8	but I couldn't remember the year. I 09:18:27	8	Q. Okay. Who was your manager at 09:20:01 that time? 09:20:03
9	apologize. 09:18:30	9	A. The gentleman's name is Jay 09:20:03
10	Q. I got it. 09:18:30	10	Foushee. 09:20:07
11	So around 2001 is when you 09:18:30	11	Q. Okay. 09:20:07
12	became a coordinator 09:18:32	12	A. Would you like for me to spell 09:20:07
13	A. Yes. 09:18:35	13	that? 09:20:09
14	Q at the control 09:18:35	14	Q. That's okay. We can get it 09:20:09
15	A. Yes. 09:18:36	15	later. 09:20:11
1 1 2		16	A. All right. 09:20:11
16	Q for the DEA compliance 09:18:37		2
	Q for the DEA compliance 09:18:37 group? 09:18:38	17	Q. And so you reported to him? 09:20:12
16	•		<ul><li>Q. And so you reported to him? 09:20:12</li><li>A. Yes. 09:20:14</li></ul>
16 17	group? 09:18:38	17	A. Yes. 09:20:14
16 17 18	group? 09:18:38 A. Yes. Yes. 09:18:38	17 18	A. Yes. 09:20:14
16 17 18 19	group? 09:18:38  A. Yes. Yes. 09:18:38  Q. That's helpful. Thank you. 09:18:39	17 18 19	A. Yes. 09:20:14 Q. Okay. And you said two other 09:20:15
16 17 18 19 20	group? 09:18:38  A. Yes. Yes. 09:18:38  Q. That's helpful. Thank you. 09:18:39  And at the time you became 09:18:40	17 18 19 20	A. Yes. 09:20:14  Q. Okay. And you said two other 09:20:15 compliance managers. Who 09:20:16
16 17 18 19 20 21	group? 09:18:38  A. Yes. Yes. 09:18:38  Q. That's helpful. Thank you. 09:18:39  And at the time you became 09:18:40  involved in the DEA compliance group, were 09:18:45	17 18 19 20 21	A. Yes. 09:20:14 Q. Okay. And you said two other 09:20:15 compliance managers. Who 09:20:16 A. Compliance coordinators. 09:20:19
16 17 18 19 20 21 22	group? 09:18:38  A. Yes. Yes. 09:18:38  Q. That's helpful. Thank you. 09:18:39  And at the time you became 09:18:40  involved in the DEA compliance group, were 09:18:45  you aware that Mallinckrodt was manufacturing 09:18:48	17 18 19 20 21 22	A. Yes. 09:20:14 Q. Okay. And you said two other 09:20:15 compliance managers. Who 09:20:16 A. Compliance coordinators. 09:20:19 Q. Coordinators, excuse me. 09:20:20
16 17 18 19 20 21 22 23	group? 09:18:38  A. Yes. Yes. 09:18:38  Q. That's helpful. Thank you. 09:18:39  And at the time you became 09:18:40  involved in the DEA compliance group, were 09:18:45  you aware that Mallinckrodt was manufacturing 09:18:48  controlled substances? 09:18:50	17 18 19 20 21 22 23	A. Yes. 09:20:14 Q. Okay. And you said two other 09:20:15 compliance managers. Who 09:20:16 A. Compliance coordinators. 09:20:19 Q. Coordinators, excuse me. 09:20:20 A. Yes, sir. 09:20:20

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	Page 26		Page 28
1	A. Mary Lewis and a gentleman 09:20:23	1	to guard against diversion, but, yes. 09:22:13
2	named Lee Nelson. 09:20:25	2	Q. Okay. And are you familiar 09:22:16
3	Q. And did the composition or the 09:20:27	3	that under the do you mind if I call the 09:22:20
4	size of this team change over time? 09:20:34	4	Controlled Substances Act the CSA? 09:22:24
5	A. Yes. 09:20:37	5	A. I don't mind. 09:22:25
6	Q. Okay. Did it expand, I assume? 09:20:39	6	Q. Okay. Are you familiar that 09:22:26
7	A. Yes. 09:20:41	7	pursuant to the CSA that registrants have a 09:22:27
8	Q. And when did you when do you 09:20:41	8	duty to monitor and implement a system to 09:22:30
9	recall when it first expanded beyond the 09:20:46	9	identify suspicious orders? 09:22:32
10	four three or four people you've 09:20:48	10	MR. O'CONNOR: Object to form. 09:22:33
11	mentioned? 09:20:52	11	THE WITNESS: Yes, I'm aware. 09:22:35
12	A. After a few years went by 09:20:52	12	QUESTIONS BY MR. KO: 09:22:36
13	and I'm sorry, I don't know the year the 09:20:55	13	Q. Okay. And these obligations 09:22:37
14	company purchased another an additional 09:20:56	14	have existed since the time that CSA was 09:22:39
15	controlled substances facility in Hobart, 09:21:00	15	enacted, correct? 09:22:41
16	New York, and the department grew after that. 09:21:04	16	MR. O'CONNOR: Object to form. 09:22:42
17	Q. Okay. Did it and how to 09:21:07	17	THE WITNESS: I don't know the 09:22:44
18	what extent did it grow? 09:21:10	18	date of the CSA versus the creation of 09:22:47
19	A. There are two persons who were 09:21:12	19	CFR 21. 09:22:53
20	in the DEA compliance group at Hobart, 09:21:14	20	QUESTIONS BY MR. KO: 09:22:55
21	New York, as an isolated department, and we 09:21:17	21	Q. Okay. And by CFR 21, are you 09:22:55
22	became one group. And there was another 09:21:21	22	referring to the what's commonly referred 09:22:57
23	person who was in the group at our Webster 09:21:24	23	to the regs that are interpreting the CSA? 09:22:59
24	Groves narcotics manufacturing facility, so 09:21:28	24	A. Yes. 09:23:04
25	our group became united as one corporate 09:21:29	25	Q. Okay. Regardless of when they 09:23:04
	Page 27		Page 29
1	department, if you will. 09:21:33	1	were enacted, you understood at the time that 09:23:06
2	Q. Okay. So fair to say it 09:21:34	2	you joined the DEA compliance group in 2001 09:23:07
3	doubled in size? Your group 09:21:37	3	that the CSA required registrants to design 09:23:10
4	A. Yes. 09:21:39	4	and implement a system to identify suspicious 09:23:15
5	Q became seven or eight 09:21:39	5	orders; is that correct? 09:23:19
6	people? 09:21:41	6	A. Yes. 09:23:19
7	A. Yes. 09:21:41	7	Q. Okay. What was your 09:23:21
8	Q. Okay. At any time that you 09:21:42	8	compensation when you first became a 09:23:24
9	were involved in the DEA compliance group, 09:21:44	9	coordinator at in the DEA compliance group 09:23:27
10	was the group ever comprised of more than ten 09:21:47	10	in 2001? 09:23:30
11	individuals? 09:21:51	11	A. I don't know. 09:23:30
12	A. No. 09:21:51	12	Q. Okay. Can you give us an 09:23:32
13	Q. Okay. It was always 09:21:52	13	approximation? 09:23:34
14	approximately anywhere from three to eight 09:21:53	14	A. I'm sorry, I really can't. 09:23:35
15	people? 09:21:55	15	Q. Was it less than \$50,000? 09:23:36
16	A. Yes. 09:21:55	16	A. I honestly don't know. I can't 09:23:37
17	Q. Okay. Ms. Harper, are you 09:21:55	17	remember, I'm sorry. 09:23:40
18	familiar with the Controlled Substances Act? 09:21:59	18	Q. Okay. Was it less than 09:23:41
19	A. Yes. 09:22:00	19	\$25,000? 09:23:43
20		20	A. I'm sorry, I can't remember. 09:23:43
	Q. And are you familiar that 09:22:01 pursuant to Controlled Substances Act that 09:22:03	21	Q. All right. What was your 09:23:45
21	•		· · · · · · · · · · · · · · · · · · ·
22	registrants have a fundamental duty to 09:22:05	22	compensation when you became senior manager 09:23:47
23	maintain effective controls against 09:22:13	23	of DEA compliance? 09:23:49
24			
24	diversion? 09:22:10		A. I can't remember my salary over 09:23:50
24 25	A. Yes, I believe the language is 09:22:10	25	the years. 09:23:52

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1		1	_
2	approximate recollection of how much you 09:23		3
3	made? 09:23:57	$\begin{bmatrix} 3 \\ 3 \end{bmatrix}$	Q. Okay. And has that over the 09:25:23
4	A. No. sir. 09:23:57	4	time that you've either been senior manager 09:25:27
5	Q. Okay. Do you recall if it was 09:23:59	5	or director of controlled substance 09:25:28
6	\$75,000 or more or above? 09:24:01	6	compliance, has it been that approximate 09:25:30
7	A. No, sir, I don't recall. 09:24:03	7	
8	Q. Okay. Do you know what your 09:24:04	8	A. Yes. 09:25:32
9	salary is currently? 09:24:09	9	
10	A. Yes. 09:24:10	10	C - 1.3 - 1.1.1
			Ms. Harper, have you reviewed 09:25:35
11	Q. Okay. And you're currently 09:24:13	[11]	any court documents or pleadings in this 09:25:39
12	director of controlled substance compliance, 09:24:1		*****
13	correct? 09:24:18	13	A. I'm not certain. 09:25:42
14	A. Yes. 09:24:19	14	Q. Okay. Are you aware that 09:25:46
15	Q. And what is your salary 09:24:19	15	there's a case currently pending in Ohio, 09:25:49
16	currently? 09:24:21	16	generally titled the national opioid 09:25:54
17	A. It's I'm going to give you 09:24:21	17	litigation? 09:25:56
18	two numbers because I get that mixed up as 09:24:		A. Yes. 09:25:56
19	well, I'm sorry. It's either or 09:24:27	19	Q. And you're aware that there are 09:25:57
20	per year. 09:24:31	20	approximately 1500 jurisdictions that have 09:25:58
21	Q. 09:24:32	21	filed suit against various manufacturers, 09:26:02
22	A. 09:24:34	22	distributors and retail pharmacies of 09:26:07
23	Q. 09:24:35	23	prescription opioids? 09:26:08
24	09:24:39	24	11. 165.
25	A. 09:24:40	25	Q. Okay. And are you aware that 09:26:08
	Page 3	1	Page 33
1	Page 3	1 1	Page 33 these jurisdictions have alleged that these 09:26:09
1 2	09:24:42		these jurisdictions have alleged that these 09:26:09
	Q. And when did you start 09:24:42	1	these jurisdictions have alleged that these 09:26:09 entities are responsible for the opioid 09:26:12
2	Q. And when did you start 09:24:42  9:24:42 09:24:42 09:24:44	1 2	these jurisdictions have alleged that these 09:26:09 entities are responsible for the opioid 09:26:12
2 3	Q. And when did you start 09:24:42  A. I don't recall the year. 09:24:44	1 2 3	these jurisdictions have alleged that these 09:26:09 entities are responsible for the opioid 09:26:12 crisis? 09:26:14  A. Yes. 09:26:15
2 3 4	O9:24:42 Q. And when did you start O9:24:42 ? O9:24:44 A. I don't recall the year. O9:24:44 Q. Okay. And do you have any 09:24:45	1 2 3 4 5	these jurisdictions have alleged that these 09:26:09 entities are responsible for the opioid 09:26:12 crisis? 09:26:14  A. Yes. 09:26:15  Q. Okay. By the way, are you 09:26:16
2 3 4 5	Q. And when did you start 09:24:42  Q. And when did you start 09:24:42  ? 09:24:44  A. I don't recall the year. 09:24:44  Q. Okay. And do you have any 09:24:45  other do you have a retirement package at 09:24:4	1 2 3 4 5	these jurisdictions have alleged that these 09:26:09 entities are responsible for the opioid 09:26:12 crisis? 09:26:14  A. Yes. 09:26:15  Q. Okay. By the way, are you 09:26:16 aware strike that. 09:26:20
2 3 4 5 6 7	Q. And when did you start 09:24:42  ? 09:24:44  A. I don't recall the year. 09:24:44  Q. Okay. And do you have any 09:24:45  other do you have a retirement package at 09:24:4  all? 09:24:51	1 2 3 4 5 9 6 7	these jurisdictions have alleged that these 09:26:09 entities are responsible for the opioid 09:26:12 crisis? 09:26:14  A. Yes. 09:26:15  Q. Okay. By the way, are you 09:26:16 aware strike that. 09:26:20  Are you generally aware that 09:26:20
2 3 4 5 6 7 8	O9:24:42  Q. And when did you start O9:24:42  ? O9:24:44  A. I don't recall the year. O9:24:44  Q. Okay. And do you have any O9:24:45  other do you have a retirement package at O9:24:4  all? O9:24:51  A. Yes. O9:24:52	1 2 3 4 5 9 6 7 8	these jurisdictions have alleged that these 09:26:09 entities are responsible for the opioid 09:26:12 crisis? 09:26:14  A. Yes. 09:26:15  Q. Okay. By the way, are you 09:26:16 aware strike that. 09:26:20  Are you generally aware that 09:26:20 these jurisdictions are alleging that these 09:26:25
2 3 4 5 6 7 8	Q. And when did you start 09:24:42  Q. And when did you start 09:24:42  ? 09:24:44  A. I don't recall the year. 09:24:44  Q. Okay. And do you have any 09:24:45  other do you have a retirement package at 09:24:4  all? 09:24:51  A. Yes. 09:24:52  Q. Okay. And what does that 09:24:53	1 2 3 4 5 9 6 7 8	these jurisdictions have alleged that these 09:26:09 entities are responsible for the opioid 09:26:12 crisis? 09:26:14  A. Yes. 09:26:15  Q. Okay. By the way, are you 09:26:16 aware strike that. 09:26:20  Are you generally aware that 09:26:20 these jurisdictions are alleging that these 09:26:25 entities should be responsible for the costs 09:26:28
2 3 4 5 6 7 8 9	Q. And when did you start 09:24:42  ? 09:24:44  A. I don't recall the year. 09:24:44  Q. Okay. And do you have any 09:24:45  other do you have a retirement package at 09:24:4  all? 09:24:51  A. Yes. 09:24:52  Q. Okay. And what does that 09:24:53  consist of? 09:24:54	1 2 3 4 5 9 6 7 8 9	these jurisdictions have alleged that these 09:26:09 entities are responsible for the opioid 09:26:12 crisis? 09:26:14  A. Yes. 09:26:15  Q. Okay. By the way, are you 09:26:16 aware strike that. 09:26:20  Are you generally aware that 09:26:20 these jurisdictions are alleging that these 09:26:25 entities should be responsible for the costs 09:26:28 that these entities have incurred as a result 09:26:30
2 3 4 5 6 7 8	O9:24:42  Q. And when did you start O9:24:42  ? O9:24:44  A. I don't recall the year. O9:24:44  Q. Okay. And do you have any O9:24:45  other do you have a retirement package at O9:24:4  all? O9:24:51  A. Yes. O9:24:52  Q. Okay. And what does that O9:24:53  consist of? O9:24:54  A. It's 401(k). O9:24:55	1 2 3 4 5 9 6 7 8 9 10	these jurisdictions have alleged that these 09:26:09 entities are responsible for the opioid 09:26:12 crisis? 09:26:14  A. Yes. 09:26:15  Q. Okay. By the way, are you 09:26:16 aware strike that. 09:26:20  Are you generally aware that 09:26:20 these jurisdictions are alleging that these 09:26:25 entities should be responsible for the costs 09:26:28 that these entities have incurred as a result 09:26:30 of responding to the opioid crisis? 09:26:33
2 3 4 5 6 7 8 9 10	O9:24:42  Q. And when did you start O9:24:42  ? O9:24:44  A. I don't recall the year. O9:24:44  Q. Okay. And do you have any O9:24:45  other do you have a retirement package at O9:24:4  all? O9:24:51  A. Yes. O9:24:52  Q. Okay. And what does that O9:24:53  consist of? O9:24:54  A. It's 401(k). O9:24:55  Q. Okay. Other than the 401(k) O9:24:56	1 2 3 4 5 9 6 7 8 9 10 11 12	these jurisdictions have alleged that these 09:26:09 entities are responsible for the opioid 09:26:12 crisis? 09:26:14  A. Yes. 09:26:15  Q. Okay. By the way, are you 09:26:16 aware strike that. 09:26:20  Are you generally aware that 09:26:20 these jurisdictions are alleging that these 09:26:25 entities should be responsible for the costs 09:26:28 that these entities have incurred as a result 09:26:30 of responding to the opioid crisis? 09:26:33  A. Yes, in general. 09:26:35
2 3 4 5 6 7 8 9 10 11 12 13	Q. And when did you start 09:24:42  ? 09:24:44  A. I don't recall the year. 09:24:44  Q. Okay. And do you have any 09:24:45  other do you have a retirement package at 09:24:4  all? 09:24:51  A. Yes. 09:24:52  Q. Okay. And what does that 09:24:53  consist of? 09:24:54  A. It's 401(k). 09:24:55  Q. Okay. Other than the 401(k) 09:24:56  and , do you 09:24:56	1 2 3 4 5 9 6 7 8 9 10 11 12 8 13	these jurisdictions have alleged that these 09:26:09 entities are responsible for the opioid 09:26:12 crisis? 09:26:14  A. Yes. 09:26:15  Q. Okay. By the way, are you 09:26:16 aware strike that. 09:26:20  Are you generally aware that 09:26:20 these jurisdictions are alleging that these 09:26:25 entities should be responsible for the costs 09:26:28 that these entities have incurred as a result 09:26:30 of responding to the opioid crisis? 09:26:33  A. Yes, in general. 09:26:35  Q. Okay. And are you aware of any 09:26:36
2 3 4 5 6 7 8 9 10 11 12 13	Q. And when did you start 09:24:42  ? 09:24:44  A. I don't recall the year. 09:24:44  Q. Okay. And do you have any 09:24:45  other do you have a retirement package at 09:24:4  all? 09:24:51  A. Yes. 09:24:52  Q. Okay. And what does that 09:24:53  consist of? 09:24:54  A. It's 401(k). 09:24:55  Q. Okay. Other than the 401(k) 09:24:56  and , do you 09:24:5  have any other additional compensation in 09:25:0	1 2 3 4 5 9 6 7 8 9 10 11 12 8 13 1 14	these jurisdictions have alleged that these 09:26:09 entities are responsible for the opioid 09:26:12 crisis? 09:26:14  A. Yes. 09:26:15  Q. Okay. By the way, are you 09:26:16 aware strike that. 09:26:20  Are you generally aware that 09:26:20 these jurisdictions are alleging that these 09:26:25 entities should be responsible for the costs 09:26:28 that these entities have incurred as a result 09:26:30 of responding to the opioid crisis? 09:26:33  A. Yes, in general. 09:26:35  Q. Okay. And are you aware of any 09:26:36 complaints that have actually been filed 09:26:39
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q. And when did you start 09:24:42  Q. And when did you start 09:24:42  ? 09:24:44  A. I don't recall the year. 09:24:44  Q. Okay. And do you have any 09:24:45  other do you have a retirement package at 09:24:4  all? 09:24:51  A. Yes. 09:24:52  Q. Okay. And what does that 09:24:53  consist of? 09:24:54  A. It's 401(k). 09:24:55  Q. Okay. Other than the 401(k) 09:24:56  and , do you 09:24:56  and , do you 09:24:50  addition to your salary? 09:25:04	1 2 3 4 5 9 6 7 8 9 10 11 12 8 13 1 14 15	these jurisdictions have alleged that these op:26:09 entities are responsible for the opioid op:26:12 crisis? 09:26:14  A. Yes. 09:26:15  Q. Okay. By the way, are you 09:26:16 aware strike that. 09:26:20  Are you generally aware that 09:26:20 these jurisdictions are alleging that these op:26:25 entities should be responsible for the costs 09:26:28 that these entities have incurred as a result 09:26:30 of responding to the opioid crisis? 09:26:33  A. Yes, in general. 09:26:35  Q. Okay. And are you aware of any 09:26:36 complaints that have actually been filed 09:26:39 against your company? 09:26:42
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. And when did you start 09:24:42  ? 09:24:44  A. I don't recall the year. 09:24:44  Q. Okay. And do you have any 09:24:45  other do you have a retirement package at 09:24:4  all? 09:24:51  A. Yes. 09:24:52  Q. Okay. And what does that 09:24:53  consist of? 09:24:54  A. It's 401(k). 09:24:55  Q. Okay. Other than the 401(k) 09:24:56  and , do you 09:24:56  and , do you 09:24:50  have any other additional compensation in 09:25:04  A. Yes. 09:25:05	1 2 3 4 5 9 6 7 8 9 10 11 12 8 13 1 14 15 16	these jurisdictions have alleged that these op:26:09 entities are responsible for the opioid op:26:12 crisis? 09:26:14  A. Yes. 09:26:15  Q. Okay. By the way, are you 09:26:16 aware strike that. 09:26:20  Are you generally aware that 09:26:20 these jurisdictions are alleging that these op:26:25 entities should be responsible for the costs 09:26:28 that these entities have incurred as a result 09:26:30 of responding to the opioid crisis? 09:26:33  A. Yes, in general. 09:26:35  Q. Okay. And are you aware of any 09:26:36 complaints that have actually been filed 09:26:39 against your company? 09:26:42  A. No. 09:26:43
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q. And when did you start 09:24:42  ? 09:24:44  A. I don't recall the year. 09:24:44  Q. Okay. And do you have any 09:24:45  other do you have a retirement package at 09:24:4  all? 09:24:51  A. Yes. 09:24:52  Q. Okay. And what does that 09:24:53  consist of? 09:24:55  A. It's 401(k). 09:24:55  Q. Okay. Other than the 401(k) 09:24:56  and 09:24:56  and 09:25:04  A. Yes. 09:25:04  A. Yes. 09:25:05  Q. And what does that consist of? 09:25:07	1 2 3 4 5 9 6 7 8 9 10 11 12 8 13 1 14 15 16 17	these jurisdictions have alleged that these op:26:09 entities are responsible for the opioid op:26:12 crisis? 09:26:14  A. Yes. 09:26:15  Q. Okay. By the way, are you 09:26:16 aware strike that. 09:26:20  Are you generally aware that 09:26:20 these jurisdictions are alleging that these op:26:25 entities should be responsible for the costs 09:26:28 that these entities have incurred as a result 09:26:30 of responding to the opioid crisis? 09:26:33  A. Yes, in general. 09:26:35  Q. Okay. And are you aware of any 09:26:36 complaints that have actually been filed 09:26:39 against your company? 09:26:42  A. No. 09:26:43  Q. Okay. So you haven't read any 09:26:46
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q. And when did you start 09:24:42  ? 09:24:44  A. I don't recall the year. 09:24:44  Q. Okay. And do you have any 09:24:45  other do you have a retirement package at 09:24:4  all? 09:24:51  A. Yes. 09:24:52  Q. Okay. And what does that 09:24:53  consist of? 09:24:54  A. It's 401(k). 09:24:55  Q. Okay. Other than the 401(k) 09:24:56  and 09:24:56  and 09:25:04  A. Yes. 09:25:05  Q. And what does that consist of? 09:25:07  A. A bonus, an annual bonus. 09:25:08	1 2 3 4 5 9 6 7 8 9 10 11 12 8 13 1 14 15 16 17 18	these jurisdictions have alleged that these op:26:09 entities are responsible for the opioid op:26:12 crisis? 09:26:14  A. Yes. 09:26:15  Q. Okay. By the way, are you 09:26:16 aware strike that. 09:26:20  Are you generally aware that 09:26:20 these jurisdictions are alleging that these op:26:25 entities should be responsible for the costs 09:26:28 that these entities have incurred as a result 09:26:30 of responding to the opioid crisis? 09:26:33  A. Yes, in general. 09:26:35  Q. Okay. And are you aware of any 09:26:36 complaints that have actually been filed 09:26:39 against your company? 09:26:42  A. No. 09:26:43  Q. Okay. So you haven't read any 09:26:46 of the complaints that have been filed 09:26:47
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. And when did you start 09:24:42  Q. And when did you start 09:24:44  A. I don't recall the year. 09:24:44  Q. Okay. And do you have any 09:24:45  other do you have a retirement package at 09:24:4  all? 09:24:51  A. Yes. 09:24:52  Q. Okay. And what does that 09:24:53  consist of? 09:24:54  A. It's 401(k). 09:24:55  Q. Okay. Other than the 401(k) 09:24:56  and 09:24:56  and 09:24:56  A. Yes. 09:25:04  A. Yes. 09:25:05  Q. And what does that consist of? 09:25:07  A. A bonus, an annual bonus. 09:25:08  Q. Okay. And approximately how 09:25:10	1 2 3 4 5 5 9 6 7 8 9 10 11 12 8 13 1 14 15 16 17 18 19	these jurisdictions have alleged that these op:26:09 entities are responsible for the opioid op:26:12 crisis? 09:26:14  A. Yes. 09:26:15  Q. Okay. By the way, are you 09:26:16 aware strike that. 09:26:20  Are you generally aware that 09:26:20 these jurisdictions are alleging that these 09:26:25 entities should be responsible for the costs 09:26:28 that these entities have incurred as a result 09:26:30 of responding to the opioid crisis? 09:26:33  A. Yes, in general. 09:26:35  Q. Okay. And are you aware of any 09:26:36 complaints that have actually been filed 09:26:39 against your company? 09:26:42  A. No. 09:26:43  Q. Okay. So you haven't read any 09:26:46 of the complaints that have been filed 09:26:47 against Mallinckrodt? 09:26:50
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. And when did you start 09:24:42  ? 09:24:44  A. I don't recall the year. 09:24:44  Q. Okay. And do you have any 09:24:45  other do you have a retirement package at 09:24:4  all? 09:24:51  A. Yes. 09:24:52  Q. Okay. And what does that 09:24:53  consist of? 09:24:55  Q. Okay. Other than the 401(k) 09:24:56  and 09:24:55  Q. Okay. Other than the 401(k) 09:24:56  and 09:24:56  and 09:25:04  A. Yes. 09:25:05  Q. And what does that consist of? 09:25:07  A. A bonus, an annual bonus. 09:25:08  Q. Okay. And approximately how 09:25:10  much is that? 09:25:11	1 2 3 4 4 5 9 6 7 8 9 10 11 12 8 13 1 14 15 16 17 18 19 20	these jurisdictions have alleged that these op:26:09 entities are responsible for the opioid op:26:12 crisis? 09:26:14  A. Yes. 09:26:15  Q. Okay. By the way, are you 09:26:16 aware strike that. 09:26:20  Are you generally aware that 09:26:20 these jurisdictions are alleging that these op:26:25 entities should be responsible for the costs 09:26:28 that these entities have incurred as a result 09:26:30 of responding to the opioid crisis? 09:26:33  A. Yes, in general. 09:26:35  Q. Okay. And are you aware of any 09:26:36 complaints that have actually been filed 09:26:39 against your company? 09:26:42  A. No. 09:26:43  Q. Okay. So you haven't read any 09:26:46 of the complaints that have been filed 09:26:47 against Mallinckrodt? 09:26:50  A. I've read pieces of the MDL, 09:26:51
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. And when did you start 09:24:42  Q. And when did you start 09:24:44  A. I don't recall the year. 09:24:44  Q. Okay. And do you have any 09:24:45  other do you have a retirement package at 09:24:4  all? 09:24:51  A. Yes. 09:24:52  Q. Okay. And what does that 09:24:53  consist of? 09:24:54  A. It's 401(k). 09:24:55  Q. Okay. Other than the 401(k) 09:24:56  and 09:24:55  A. Yes. 09:25:04  A. Yes. 09:25:04  A. Yes. 09:25:05  Q. And what does that consist of? 09:25:07  A. A bonus, an annual bonus. 09:25:08  Q. Okay. And approximately how 09:25:10  much is that? 09:25:11  A. It's it's a percent of the 09:25:11	1 2 3 4 5 9 6 7 8 9 10 11 12 8 13 1 14 15 16 17 18 19 20 21	these jurisdictions have alleged that these op:26:09 entities are responsible for the opioid op:26:12 crisis? 09:26:14  A. Yes. 09:26:15  Q. Okay. By the way, are you 09:26:16 aware strike that. 09:26:20  Are you generally aware that 09:26:20 these jurisdictions are alleging that these op:26:25 entities should be responsible for the costs 09:26:28 that these entities have incurred as a result 09:26:30 of responding to the opioid crisis? 09:26:33  A. Yes, in general. 09:26:35  Q. Okay. And are you aware of any 09:26:36 complaints that have actually been filed 09:26:39 against your company? 09:26:42  A. No. 09:26:43  Q. Okay. So you haven't read any 09:26:46 of the complaints that have been filed 09:26:47 against Mallinckrodt? 09:26:50  A. I've read pieces of the MDL, 09:26:51 but nothing specific to Mallinckrodt. 09:26:55
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. And when did you start 09:24:42  Q. And when did you start 09:24:44  A. I don't recall the year. 09:24:44  Q. Okay. And do you have any 09:24:45  other do you have a retirement package at 09:24:4  all? 09:24:51  A. Yes. 09:24:52  Q. Okay. And what does that 09:24:53  consist of? 09:24:54  A. It's 401(k). 09:24:55  Q. Okay. Other than the 401(k) 09:24:56  and 09:24:55  Q. Okay. Other than the 401(k) 09:24:56  and 09:25:04  A. Yes. 09:25:05  Q. And what does that consist of? 09:25:07  A. A bonus, an annual bonus. 09:25:08  Q. Okay. And approximately how 09:25:10  much is that? 09:25:11  salary based upon the performance of the 09:25:11  salary based upon the performance of the 09:25:11	1 2 3 4 5 9 6 7 8 9 10 11 12 8 13 1 14 15 16 17 18 19 20 21 14 22	these jurisdictions have alleged that these op:26:09 entities are responsible for the opioid op:26:12 crisis? 09:26:14  A. Yes. 09:26:15  Q. Okay. By the way, are you 09:26:16 aware strike that. 09:26:20  Are you generally aware that 09:26:20 these jurisdictions are alleging that these op:26:25 entities should be responsible for the costs 09:26:28 that these entities have incurred as a result 09:26:30 of responding to the opioid crisis? 09:26:33  A. Yes, in general. 09:26:35  Q. Okay. And are you aware of any 09:26:36 complaints that have actually been filed 09:26:39 against your company? 09:26:42  A. No. 09:26:43  Q. Okay. So you haven't read any 09:26:46 of the complaints that have been filed 09:26:47 against Mallinckrodt? 09:26:50  A. I've read pieces of the MDL, 09:26:51 but nothing specific to Mallinckrodt. 09:26:55  Q. Okay. When you say "pieces of 09:26:56
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. And when did you start 09:24:42  ? 09:24:44  A. I don't recall the year. 09:24:44  Q. Okay. And do you have any 09:24:45  other do you have a retirement package at 09:24:4  all? 09:24:51  A. Yes. 09:24:52  Q. Okay. And what does that 09:24:53  consist of? 09:24:55  Q. Okay. Other than the 401(k) 09:24:56  and 09:24:55  Q. Okay. Other than the 401(k) 09:24:56  and 09:24:55  Q. Okay. Other than the 401(k) 09:24:56  and 09:25:04  A. Yes. 09:25:05  Q. And what does that consist of? 09:25:07  A. A bonus, an annual bonus. 09:25:08  Q. Okay. And approximately how 09:25:10  much is that? 09:25:11  salary based upon the performance of the 09:25:11  salary based upon the performance of the 09:25:17	1 2 3 4 5 9 6 7 8 9 10 11 12 8 13 1 14 15 16 17 18 19 20 21 14 22 23	these jurisdictions have alleged that these op:26:09 entities are responsible for the opioid op:26:12 crisis? 09:26:14  A. Yes. 09:26:15  Q. Okay. By the way, are you 09:26:16 aware strike that. 09:26:20  Are you generally aware that 09:26:20 these jurisdictions are alleging that these op:26:25 entities should be responsible for the costs 09:26:28 that these entities have incurred as a result 09:26:30 of responding to the opioid crisis? 09:26:33  A. Yes, in general. 09:26:35  Q. Okay. And are you aware of any 09:26:36 complaints that have actually been filed 09:26:39 against your company? 09:26:42  A. No. 09:26:43  Q. Okay. So you haven't read any 09:26:46 of the complaints that have been filed 09:26:47 against Mallinckrodt? 09:26:50  A. I've read pieces of the MDL, 09:26:51 but nothing specific to Mallinckrodt. 09:26:55 Q. Okay. When you say "pieces of 09:26:56 the MDL," what do you mean? 09:26:59
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. And when did you start 09:24:42  ? 09:24:44  A. I don't recall the year. 09:24:44  Q. Okay. And do you have any 09:24:45  other do you have a retirement package at 09:24:4  all? 09:24:51  A. Yes. 09:24:52  Q. Okay. And what does that 09:24:53  consist of? 09:24:55  Q. Okay. Other than the 401(k) 09:24:56  and 09:24:55  Q. Okay. Other than the 401(k) 09:24:56  and 09:24:55  Q. Okay. Other than the 401(k) 09:24:56  and 09:25:04  A. Yes. 09:25:05  Q. And what does that consist of? 09:25:07  A. A bonus, an annual bonus. 09:25:08  Q. Okay. And approximately how 09:25:10  much is that? 09:25:11  salary based upon the performance of the 09:25:11  salary based upon the performance of the 09:25:15  company. 09:25:17	1 2 3 4 4 5 9 6 7 8 8 9 10 11 12 8 13 1 14 15 16 17 18 19 20 21 4 22 23 24	these jurisdictions have alleged that these op:26:09 entities are responsible for the opioid op:26:12 crisis? 09:26:14  A. Yes. 09:26:15  Q. Okay. By the way, are you 09:26:16 aware strike that. 09:26:20  Are you generally aware that 09:26:20 these jurisdictions are alleging that these op:26:25 entities should be responsible for the costs 09:26:28 that these entities have incurred as a result 09:26:30 of responding to the opioid crisis? 09:26:33  A. Yes, in general. 09:26:35  Q. Okay. And are you aware of any 09:26:36 complaints that have actually been filed 09:26:39 against your company? 09:26:42  A. No. 09:26:43  Q. Okay. So you haven't read any 09:26:46 of the complaints that have been filed 09:26:47 against Mallinckrodt? 09:26:50  A. I've read pieces of the MDL, 09:26:51 but nothing specific to Mallinckrodt. 09:26:55 Q. Okay. When you say "pieces of 09:26:56 the MDL," what do you mean? 09:26:59

	Page 34		Page 36
1	"pieces," I'm just trying to get an 09:27:04	1	THE WITNESS: That is not 09:28:44
2	understanding of what you've reviewed. 09:27:06	2	the sta pardon me, the statistic I 09:28:46
3	A. So we receive a pharma news 09:27:07	3	have heard. 09:28:48
4	brief every single day, and so there will be 09:27:10	4	QUESTIONS BY MR. KO: 09:28:48
5	excerpts from the various matters related to 09:27:13	5	Q. Okay. What is the statistic 09:28:49
6	the MDL, Judge Polster's rulings, et cetera. 09:27:16	6	that you have heard? 09:28:50
7	Q. I see. 09:27:20	7	A. That we're in the top five 09:28:50
8	So in other words, you're 09:27:20	8	Q. Okay. 09:28:50
9	getting and receiving and reviewing these 09:27:22	9	A of the share of generic 09:28:53
10	news updates about the MDL? 09:27:26	10	suppliers. 09:28:55
11	A. Correct. 09:27:28	11	Q. Okay. And generic suppliers of 09:28:55
12	Q. Okay. Great. 09:27:29	12	prescription opioids in particular, correct? 09:28:58
13	Ms. Harper, do you agree that 09:27:30	13	A. Yes. 09:28:59
14	there's an opioid epidemic in this country? 09:27:35	14	Q. Okay. And currently, do you 09:29:00
15	MR. O'CONNOR: Object to form. 09:27:37	15	understand that Mallinckrodt has the number 09:29:05
16	THE WITNESS: Yes, I do. 09:27:38	16	one market share of generic prescription 09:29:07
17	QUESTIONS BY MR. KO: 09:27:39	17	opioids? 09:29:10
18	Q. Okay. And are you aware that 09:27:41	18 19	MR. O'CONNOR: Object to form. 09:29:10 THE WITNESS: I don't I'm 09:29:11
19 20	there's been an opioid epidemic in this 09:27:43 country for quite some time? 09:27:45	20	
21	MR. O'CONNOR: Object to form. 09:27:47	21	sorry. I don't know. I don't know 09:29:12 our current market position. 09:29:13
22	THE WITNESS: I don't know, 09:27:47	22	QUESTIONS BY MR. KO: 09:29:14
23	sir, what you mean by "quite some 09:27:50	23	Q. Okay. During your time as 09:29:14
24	time." 09:27:51	24	director or senior manager of controlled 09:29:18
25	Can you I don't know. 09:27:52	25	substance compliance, have you ever inquired 09:29:21
23	Can you I don't know. 09.21.32	23	substance comphance, have you ever inquired 07.27.21
	Page 35		Page 37
1	QUESTIONS BY MR. KO: 09:27:53	1	as to the market share of Mallinckrodt with 09:29:23
2	QUESTIONS BY MR. KO: 09:27:53 Q. When did you first start 09:27:54	2	as to the market share of Mallinckrodt with 09:29:23 respect to prescription opioids? 09:29:26
2 3	QUESTIONS BY MR. KO: 09:27:53  Q. When did you first start 09:27:54  believing that there was an opioid epidemic 09:27:57	2 3	as to the market share of Mallinckrodt with 09:29:23 respect to prescription opioids? 09:29:26  A. On certain specific drug 09:29:28
2 3 4	QUESTIONS BY MR. KO: 09:27:53  Q. When did you first start 09:27:54  believing that there was an opioid epidemic 09:27:57  in this country? 09:28:02	2 3 4	as to the market share of Mallinckrodt with 09:29:23 respect to prescription opioids? 09:29:26  A. On certain specific drug 09:29:28 substances, yes. 09:29:31
2 3 4 5	QUESTIONS BY MR. KO: 09:27:53  Q. When did you first start 09:27:54  believing that there was an opioid epidemic 09:27:57  in this country? 09:28:02  MR. O'CONNOR: Object to form. 09:28:03	2 3 4 5	as to the market share of Mallinckrodt with 09:29:23 respect to prescription opioids? 09:29:26 A. On certain specific drug 09:29:28 substances, yes. 09:29:31 Q. And which specific drug 09:29:32
2 3 4 5 6	QUESTIONS BY MR. KO: 09:27:53  Q. When did you first start 09:27:54  believing that there was an opioid epidemic 09:27:57  in this country? 09:28:02  MR. O'CONNOR: Object to form. 09:28:03  THE WITNESS: Approximately 09:28:04	2 3 4 5 6	as to the market share of Mallinckrodt with 09:29:23 respect to prescription opioids? 09:29:26 A. On certain specific drug 09:29:28 substances, yes. 09:29:31 Q. And which specific drug 09:29:32 substances? 09:29:34
2 3 4 5 6 7	QUESTIONS BY MR. KO: 09:27:53  Q. When did you first start 09:27:54  believing that there was an opioid epidemic 09:27:57  in this country? 09:28:02  MR. O'CONNOR: Object to form. 09:28:03  THE WITNESS: Approximately 09:28:04  mid-2000s. 09:28:05	2 3 4 5 6 7	as to the market share of Mallinckrodt with 09:29:23 respect to prescription opioids? 09:29:26 A. On certain specific drug 09:29:28 substances, yes. 09:29:31 Q. And which specific drug 09:29:32 substances? 09:29:34 A. So I'll use the example 09:29:34
2 3 4 5 6 7 8	QUESTIONS BY MR. KO: 09:27:53  Q. When did you first start 09:27:54  believith that there was an opioid epidemic 09:27:57  in this tountry? 09:28:02  MR. O'CONNOR: Object to form. 09:28:03  THE WITNESS: Approximately 09:28:04  mid-2000s. 09:28:05  QUESTIONS BY MR. KO: 09:28:06	2 3 4 5 6 7 8	as to the market share of Mallinckrodt with 09:29:23 respect to prescription opioids? 09:29:26 A. On certain specific drug 09:29:28 substances, yes. 09:29:31 Q. And which specific drug 09:29:32 substances? 09:29:34 A. So I'll use the example 09:29:34 methylphenidate. When we're applying for 09:29:40
2 3 4 5 6 7 8	QUESTIONS BY MR. KO: 09:27:53  Q. When did you first start 09:27:54  believing that there was an opioid epidemic 09:27:57  in this country? 09:28:02  MR. O'CONNOR: Object to form. 09:28:03  THE WITNESS: Approximately 09:28:04  mid-2000s. 09:28:05  QUESTIONS BY MR. KO: 09:28:06  Q. Mid-2000s? 09:28:07	2 3 4 5 6 7 8	as to the market share of Mallinckrodt with 09:29:23 respect to prescription opioids? 09:29:26 A. On certain specific drug 09:29:28 substances, yes. 09:29:31 Q. And which specific drug 09:29:32 substances? 09:29:34 A. So I'll use the example 09:29:34 methylphenidate. When we're applying for 09:29:40 quota, if there is an intent or if we have a 09:29:43
2 3 4 5 6 7 8 9	QUESTIONS BY MR. KO: 09:27:53  Q. When did you first start 09:27:54  believing that there was an opioid epidemic 09:27:57  in this country? 09:28:02  MR. O'CONNOR: Object to form. 09:28:03  THE WITNESS: Approximately 09:28:04  mid-2000s. 09:28:05  QUESTIONS BY MR. KO: 09:28:06  Q. Mid-2000s? 09:28:07  A. Yes, sir. 09:28:08	2 3 4 5 6 7 8 9	as to the market share of Mallinckrodt with 09:29:23 respect to prescription opioids? 09:29:26 A. On certain specific drug 09:29:28 substances, yes. 09:29:31 Q. And which specific drug 09:29:32 substances? 09:29:34 A. So I'll use the example 09:29:34 methylphenidate. When we're applying for 09:29:40 quota, if there is an intent or if we have a 09:29:43 belief that we will grow our market share, I 09:29:46
2 3 4 5 6 7 8 9 10	QUESTIONS BY MR. KO:       09:27:53         Q.       When did you first start       09:27:54         believing that there was an opioid epidemic in this country?       09:28:02         MR. O'CONNOR: Object to form.       09:28:03         THE WITNESS: Approximately mid-2000s.       09:28:05         QUESTIONS BY MR. KO:       09:28:06         Q.       Mid-2000s?       09:28:07         A.       Yes, sir.       09:28:08         Q.       Okay. Are you familiar with       09:28:08	2 3 4 5 6 7 8 9 10	as to the market share of Mallinckrodt with 09:29:23 respect to prescription opioids? 09:29:26 A. On certain specific drug 09:29:28 substances, yes. 09:29:31 Q. And which specific drug 09:29:32 substances? 09:29:34 A. So I'll use the example 09:29:34 methylphenidate. When we're applying for 09:29:40 quota, if there is an intent or if we have a 09:29:43 belief that we will grow our market share, I 09:29:46 need to learn the existing market share that 09:29:48
2 3 4 5 6 7 8 9 10 11	QUESTIONS BY MR. KO: 09:27:53  Q. When did you first start 09:27:54  believing that there was an opioid epidemic o9:27:57  in this country? 09:28:02  MR. O'CONNOR: Object to form. 09:28:03  THE WITNESS: Approximately 09:28:04  mid-2000s. 09:28:05  QUESTIONS BY MR. KO: 09:28:07  A. Yes, sir. 09:28:08  Q. Okay. Are you familiar with 09:28:08  Mallinckrodt's market share of prescription 09:28:10	2 3 4 5 6 7 8 9 10 11 12	as to the market share of Mallinckrodt with 09:29:23 respect to prescription opioids? 09:29:26 A. On certain specific drug 09:29:28 substances, yes. 09:29:31 Q. And which specific drug 09:29:32 substances? 09:29:34 A. So I'll use the example 09:29:34 methylphenidate. When we're applying for 09:29:40 quota, if there is an intent or if we have a 09:29:43 belief that we will grow our market share, I 09:29:46 need to learn the existing market share that 09:29:48 Mallinckrodt holds. 09:29:51
2 3 4 5 6 7 8 9 10 11 12 13	QUESTIONS BY MR. KO: 09:27:53  Q. When did you first start 09:27:54  believing that there was an opioid epidemic 09:27:57  in this country? 09:28:02  MR. O'CONNOR: Object to form. 09:28:03  THE WITNESS: Approximately 09:28:04  mid-2000s. 09:28:05  QUESTIONS BY MR. KO: 09:28:06  Q. Mid-2000s? 09:28:07  A. Yes, sir. 09:28:08  Q. Okay. Are you familiar with 09:28:08  Malling trod's market share of prescription 09:28:10  opioids? 09:28:13	2 3 4 5 6 7 8 9 10 11 12 13	as to the market share of Mallinckrodt with 09:29:23 respect to prescription opioids? 09:29:26 A. On certain specific drug 09:29:28 substances, yes. 09:29:31 Q. And which specific drug 09:29:32 substances? 09:29:34 A. So I'll use the example 09:29:34 methylphenidate. When we're applying for 09:29:40 quota, if there is an intent or if we have a 09:29:43 belief that we will grow our market share, I 09:29:46 need to learn the existing market share that 09:29:48 Mallinckrodt holds. 09:29:51 Q. Okay. And when over the last 09:29:52
2 3 4 5 6 7 8 9 10 11 12 13 14	QUESTIONS BY MR. KO:       09:27:53         Q.       When did you first start       09:27:54         believing that there was an opioid epidemic in this country?       09:28:02         MR. O'CONNOR: Object to form.       09:28:03         THE WITNESS: Approximately mid-2000s.       09:28:05         QUESTIONS BY MR. KO:       09:28:05         Q.       Mid-2000s?       09:28:07         A.       Yes, sir.       09:28:08         Q.       Okay. Are you familiar with op:28:08         Mallinckrodt's market share of prescription op:28:13         A.       On some products, yes.       09:28:13	2 3 4 5 6 7 8 9 10 11 12 13 14	as to the market share of Mallinckrodt with 09:29:23 respect to prescription opioids? 09:29:26  A. On certain specific drug 09:29:28 substances, yes. 09:29:31 Q. And which specific drug 09:29:32 substances? 09:29:34 A. So I'll use the example 09:29:34 methylphenidate. When we're applying for 09:29:40 quota, if there is an intent or if we have a 09:29:43 belief that we will grow our market share, I 09:29:46 need to learn the existing market share that 09:29:48 Mallinckrodt holds. 09:29:51 Q. Okay. And when over the last 09:29:52 20 or so years have you inquired into that? 09:29:57
2 3 4 5 6 7 8 9 10 11 12 13 14 15	QUESTIONS BY MR. KO:       09:27:53         Q.       When did you first start       09:27:54         believing that there was an opioid epidemic       09:27:57         in this country?       09:28:02         MR. O'CONNOR: Object to form.       09:28:03         THE WITNESS: Approximately       09:28:04         mid-2000s.       09:28:05         QUESTIONS BY MR. KO:       09:28:06         Q.       Mid-2000s?       09:28:08         Q.       Ves, sir.       09:28:08         Q.       Okay. Are you familiar with       09:28:10         opioids?       09:28:13         A.       On some products, yes.       09:28:13         A.       Okay. With respect to the       09:28:18	2 3 4 5 6 7 8 9 10 11 12 13 14	as to the market share of Mallinckrodt with 09:29:23 respect to prescription opioids? 09:29:26  A. On certain specific drug 09:29:28 substances, yes. 09:29:31 Q. And which specific drug 09:29:32 substances? 09:29:34 A. So I'll use the example 09:29:34 methylphenidate. When we're applying for 09:29:40 quota, if there is an intent or if we have a 09:29:43 belief that we will grow our market share, I 09:29:46 need to learn the existing market share that 09:29:48 Mallinckrodt holds. 09:29:51 Q. Okay. And when over the last 09:29:52 20 or so years have you inquired into that? 09:29:57 Has that been inquiries that 09:30:03
2 3 4 5 6 7 8 9 10 11 12 13 14 15	QUESTIONS BY MR. KO:       09:27:53         Q. When did you first start       09:27:54         believing that there was an opioid epidemic       09:27:57         in this country?       09:28:02         MR. O'CONNOR: Object to form.       09:28:03         THE WITNESS: Approximately       09:28:04         mid-2000s.       09:28:05         QUESTIONS BY MR. KO:       09:28:06         Q. Mid-2000s?       09:28:08         Q. Wid-2000s?       09:28:08         Mallinckrodt's market share of prescription       09:28:10         opioids?       09:28:13         A. On some products, yes.       09:28:13         Q. Okay. With respect to the       09:28:13         Q. Okay. With respect to the       09:28:18         generic product line of Mallinckrodt, are you       09:28:20	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	as to the market share of Mallinckrodt with 09:29:23 respect to prescription opioids? 09:29:26  A. On certain specific drug 09:29:28 substances, yes. 09:29:31 Q. And which specific drug 09:29:32 substances? 09:29:34  A. So I'll use the example 09:29:34 methylphenidate. When we're applying for 09:29:40 quota, if there is an intent or if we have a 09:29:43 belief that we will grow our market share, I 09:29:46 need to learn the existing market share that 09:29:48 Mallinckrodt holds. 09:29:51 Q. Okay. And when over the last 09:29:52 20 or so years have you inquired into that? 09:29:57 Has that been inquiries that 09:30:03 you've made on a fairly regular basis? 09:30:04
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	QUESTIONS BY MR. KO:       09:27:53         Q.       When did you first start       09:27:54         believing that there was an opioid epidemic in this country?       09:28:02         MR. O'CONNOR: Object to form.       09:28:03         THE WITNESS: Approximately mid-2000s.       09:28:05         QUESTIONS BY MR. KO:       09:28:06         Q.       Mid-2000s?       09:28:08         Q.       Okay. Are you familiar with op:28:08       09:28:08         Mallinckrodt's market share of prescription op:28:13       09:28:13         A.       On some products, yes.       09:28:13         Q.       Okay. With respect to the op:28:18       09:28:20         aware of Mallinckrodt's market share in the op:28:24	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	as to the market share of Mallinckrodt with 09:29:23 respect to prescription opioids? 09:29:26  A. On certain specific drug 09:29:28 substances, yes. 09:29:31 Q. And which specific drug 09:29:32 substances? 09:29:34 A. So I'll use the example 09:29:34 methylphenidate. When we're applying for 09:29:40 quota, if there is an intent or if we have a 09:29:43 belief that we will grow our market share, I 09:29:46 need to learn the existing market share that 09:29:48 Mallinckrodt holds. 09:29:51 Q. Okay. And when over the last 09:29:52 20 or so years have you inquired into that? 09:29:57 Has that been inquiries that 09:30:03 you've made on a fairly regular basis? 09:30:04 MR. O'CONNOR: Object to form. 09:30:07
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	QUESTIONS BY MR. KO:  Q. When did you first start 09:27:54  believing that there was an opioid epidemic o9:27:57  in this country? 09:28:02  MR. O'CONNOR: Object to form. 09:28:03  THE WITNESS: Approximately 09:28:04  mid-2000s. 09:28:05  QUESTIONS BY MR. KO: 09:28:06  Q. Mid-2000s? 09:28:07  A. Yes, sir. 09:28:08  Q. Okay. Are you familiar with 09:28:08  Mallinckrodt's market share of prescription opioids? 09:28:13  A. On some products, yes. 09:28:13  Q. Okay. With respect to the 09:28:18  generic product line of Mallinckrodt, are you 09:28:20  aware of Mallinckrodt's market share in the 09:28:24  generic line of business? 09:28:27	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	as to the market share of Mallinckrodt with 09:29:23 respect to prescription opioids? 09:29:26  A. On certain specific drug 09:29:28 substances, yes. 09:29:31 Q. And which specific drug 09:29:32 substances? 09:29:34 A. So I'll use the example 09:29:34 methylphenidate. When we're applying for 09:29:40 quota, if there is an intent or if we have a 09:29:43 belief that we will grow our market share, I 09:29:46 need to learn the existing market share that 09:29:48 Mallinckrodt holds. 09:29:51 Q. Okay. And when over the last 09:29:52 20 or so years have you inquired into that? 09:29:57 Has that been inquiries that 09:30:03 you've made on a fairly regular basis? 09:30:04 MR. O'CONNOR: Object to form. 09:30:07 THE WITNESS: Yes, in 09:30:07
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	QUESTIONS BY MR. KO: Q. When did you first start 09:27:54 believing that there was an opioid epidemic in this country? 09:28:02  MR. O'CONNOR: Object to form. 09:28:03  THE WITNESS: Approximately 09:28:04 mid-2000s. 09:28:05  QUESTIONS BY MR. KO: 09:28:06 Q. Mid-2000s? 09:28:07 A. Yes, sir. 09:28:08 Q. Okay. Are you familiar with 09:28:08  Mallinckrodt's market share of prescription opioids? 09:28:13 A. On some products, yes. 09:28:13 Q. Okay. With respect to the 09:28:18 generic product line of Mallinckrodt, are you o9:28:24 generic line of business? 09:28:27 A. Not overall, no, sir. 09:28:29	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	as to the market share of Mallinckrodt with 09:29:23 respect to prescription opioids? 09:29:26  A. On certain specific drug 09:29:28 substances, yes. 09:29:31  Q. And which specific drug 09:29:32 substances? 09:29:34  A. So I'll use the example 09:29:34 methylphenidate. When we're applying for 09:29:40 quota, if there is an intent or if we have a 09:29:43 belief that we will grow our market share, I 09:29:46 need to learn the existing market share that 09:29:48 Mallinckrodt holds. 09:29:51  Q. Okay. And when over the last 09:29:52 20 or so years have you inquired into that? 09:29:57  Has that been inquiries that 09:30:03 you've made on a fairly regular basis? 09:30:04  MR. O'CONNOR: Object to form. 09:30:07 THE WITNESS: Yes, in 09:30:07 coordination with quota requests to 09:30:08
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	QUESTIONS BY MR. KO:  Q. When did you first start 09:27:54  believing that there was an opioid epidemic in this country? 09:28:02  MR. O'CONNOR: Object to form. 09:28:03  THE WITNESS: Approximately 09:28:04  mid-2000s. 09:28:05  QUESTIONS BY MR. KO: 09:28:06  Q. Mid-2000s? 09:28:07  A. Yes, sir. 09:28:08  Q. Okay. Are you familiar with 09:28:08  Mallinckrodt's market share of prescription 09:28:10  opioids? 09:28:13  A. On some products, yes. 09:28:13  Q. Okay. With respect to the 09:28:18  generic product line of Mallinckrodt, are you 09:28:20  aware of Mallinckrodt's market share in the 09:28:24  generic line of business? 09:28:27  A. Not overall, no, sir. 09:28:29  Q. Okay. Are you aware that 09:28:31	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	as to the market share of Mallinckrodt with 09:29:23 respect to prescription opioids? 09:29:26  A. On certain specific drug 09:29:28 substances, yes. 09:29:31 Q. And which specific drug 09:29:32 substances? 09:29:34 A. So I'll use the example 09:29:34 methylphenidate. When we're applying for 09:29:40 quota, if there is an intent or if we have a 09:29:43 belief that we will grow our market share, I 09:29:46 need to learn the existing market share that 09:29:48 Mallinckrodt holds. 09:29:51 Q. Okay. And when over the last 09:29:52 20 or so years have you inquired into that? 09:29:57 Has that been inquiries that 09:30:03 you've made on a fairly regular basis? 09:30:04 MR. O'CONNOR: Object to form. 09:30:07 THE WITNESS: Yes, in 09:30:07 coordination with quota requests to 09:30:08 DEA, yes. 09:30:09
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	QUESTIONS BY MR. KO: Q. When did you first start 09:27:54 believing that there was an opioid epidemic in this country? 09:28:02  MR. O'CONNOR: Object to form. 09:28:03  THE WITNESS: Approximately 09:28:04 mid-2000s. 09:28:05  QUESTIONS BY MR. KO: 09:28:07 A. Yes, sir. 09:28:08 Q. Okay. Are you familiar with 09:28:08  Mallinckrodt's market share of prescription opioids? 09:28:13 A. On some products, yes. 09:28:13 Q. Okay. With respect to the 09:28:18 generic product line of Mallinckrodt, are you 09:28:20 aware of Mallinckrodt's market share in the 09:28:24 generic line of business? 09:28:27 A. Not overall, no, sir. 09:28:29 Q. Okay. Are you aware that 09:28:31  Mallinckrodt has been either the number one 09:28:34	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	as to the market share of Mallinckrodt with 09:29:23 respect to prescription opioids? 09:29:26  A. On certain specific drug 09:29:28 substances, yes. 09:29:31 Q. And which specific drug 09:29:32 substances? 09:29:34 A. So I'll use the example 09:29:34 methylphenidate. When we're applying for 09:29:40 quota, if there is an intent or if we have a 09:29:43 belief that we will grow our market share, I 09:29:46 need to learn the existing market share that 09:29:48 Mallinckrodt holds. 09:29:51 Q. Okay. And when over the last 09:29:52 20 or so years have you inquired into that? 09:29:57 Has that been inquiries that 09:30:03 you've made on a fairly regular basis? 09:30:04 MR. O'CONNOR: Object to form. 09:30:07 THE WITNESS: Yes, in 09:30:07 coordination with quota requests to 09:30:08 DEA, yes. 09:30:09 QUESTIONS BY MR. KO: 09:30:10
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	QUESTIONS BY MR. KO: Q. When did you first start 09:27:54 believing that there was an opioid epidemic in this country? 09:28:02 MR. O'CONNOR: Object to form. 09:28:03 THE WITNESS: Approximately 09:28:04 mid-2000s. 09:28:05  QUESTIONS BY MR. KO: 09:28:06 Q. Mid-2000s? 09:28:07 A. Yes, sir. 09:28:08 Q. Okay. Are you familiar with 09:28:08  Mallinckrodt's market share of prescription opioids? 09:28:13 A. On some products, yes. 09:28:13 Q. Okay. With respect to the 09:28:18 generic product line of Mallinckrodt, are you op:28:20 aware of Mallinckrodt's market share in the 09:28:24 generic line of business? 09:28:27 A. Not overall, no, sir. 09:28:29 Q. Okay. Are you aware that 09:28:34 or number two in terms of market share 09:28:34	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	as to the market share of Mallinckrodt with 09:29:23 respect to prescription opioids? 09:29:26  A. On certain specific drug 09:29:28 substances, yes. 09:29:31  Q. And which specific drug 09:29:32 substances? 09:29:34  A. So I'll use the example 09:29:34 methylphenidate. When we're applying for 09:29:40 quota, if there is an intent or if we have a 09:29:43 belief that we will grow our market share, I 09:29:46 need to learn the existing market share that 09:29:48 Mallinckrodt holds. 09:29:51  Q. Okay. And when over the last 09:29:52 20 or so years have you inquired into that? 09:29:57  Has that been inquiries that 09:30:03 you've made on a fairly regular basis? 09:30:04  MR. O'CONNOR: Object to form. 09:30:07 THE WITNESS: Yes, in 09:30:07 coordination with quota requests to 09:30:08 DEA, yes. 09:30:09  QUESTIONS BY MR. KO: 09:30:10 Q. And those quota requests on an 09:30:10
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	QUESTIONS BY MR. KO: Q. When did you first start 09:27:54 believing that there was an opioid epidemic in this country? 09:28:02  MR. O'CONNOR: Object to form. 09:28:03  THE WITNESS: Approximately 09:28:04 mid-2000s. 09:28:05  QUESTIONS BY MR. KO: 09:28:06 Q. Mid-2000s? 09:28:07 A. Yes, sir. 09:28:08 Q. Okay. Are you familiar with 09:28:08  Mallinckrodt's market share of prescription 09:28:10 opioids? 09:28:13  A. On some products, yes. 09:28:13 Q. Okay. With respect to the 09:28:18 generic product line of Mallinckrodt, are you 09:28:20 aware of Mallinckrodt's market share in the 09:28:24 generic line of business? 09:28:27 A. Not overall, no, sir. 09:28:29 Q. Okay. Are you aware that 09:28:34 or number two in terms of market share 09:28:36 generic manufacturer of prescription opioids 09:28:40	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	as to the market share of Mallinckrodt with 09:29:23 respect to prescription opioids? 09:29:26  A. On certain specific drug 09:29:28 substances, yes. 09:29:31  Q. And which specific drug 09:29:32 substances? 09:29:34  A. So I'll use the example 09:29:34 methylphenidate. When we're applying for 09:29:40 quota, if there is an intent or if we have a 09:29:43 belief that we will grow our market share, I 09:29:46 need to learn the existing market share that 09:29:48 Mallinckrodt holds. 09:29:51  Q. Okay. And when over the last 09:29:52 20 or so years have you inquired into that? 09:29:57  Has that been inquiries that 09:30:03 you've made on a fairly regular basis? 09:30:04  MR. O'CONNOR: Object to form. 09:30:07  THE WITNESS: Yes, in 09:30:07  Coordination with quota requests to 09:30:08  DEA, yes. 09:30:10  Q. And those quota requests on an 09:30:10 annual basis, correct? 09:30:13
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	QUESTIONS BY MR. KO: Q. When did you first start 09:27:54 believing that there was an opioid epidemic in this country? 09:28:02 MR. O'CONNOR: Object to form. 09:28:03 THE WITNESS: Approximately 09:28:04 mid-2000s. 09:28:05  QUESTIONS BY MR. KO: 09:28:06 Q. Mid-2000s? 09:28:07 A. Yes, sir. 09:28:08 Q. Okay. Are you familiar with 09:28:08  Mallinckrodt's market share of prescription opioids? 09:28:13 A. On some products, yes. 09:28:13 Q. Okay. With respect to the 09:28:18 generic product line of Mallinckrodt, are you op:28:20 aware of Mallinckrodt's market share in the 09:28:24 generic line of business? 09:28:27 A. Not overall, no, sir. 09:28:29 Q. Okay. Are you aware that 09:28:34 or number two in terms of market share 09:28:34	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	as to the market share of Mallinckrodt with 09:29:23 respect to prescription opioids? 09:29:26  A. On certain specific drug 09:29:28 substances, yes. 09:29:31 Q. And which specific drug 09:29:32 substances? 09:29:34 A. So I'll use the example 09:29:34 methylphenidate. When we're applying for 09:29:40 quota, if there is an intent or if we have a 09:29:43 belief that we will grow our market share, I 09:29:46 need to learn the existing market share that 09:29:48 Mallinckrodt holds. 09:29:51 Q. Okay. And when over the last 09:29:52 20 or so years have you inquired into that? 09:29:57 Has that been inquiries that 09:30:03 you've made on a fairly regular basis? 09:30:04 MR. O'CONNOR: Object to form. 09:30:07 THE WITNESS: Yes, in 09:30:07 coordination with quota requests to 09:30:08 DEA, yes. 09:30:10 Q. And those quota requests on an 09:30:10 annual basis, correct? 09:30:13

	Page 38		Page 40
1	process throughout a calendar year. 09:30:19	1	Q. And who reports to you? 09:31:57
2	Q. Okay. And so you would say 09:30:20	2	A. I have two direct reports. 09:31:58
3	that you have regularly I just want to 09:30:22	3	They are managers of controlled substances 09:32:01
4	make sure I understand when you when you 09:30:25	4	compliance. 09:32:04
5	have inquired into understanding 09:30:28	5	Q. And who are they? 09:32:07
6	Mallinckrodt's market share, and you've said 09:30:30	6	A. There's a gentleman named 09:32:07
7	on a fairly consistent basis, correct? 09:30:32	7	his name is Dave Hunter. 09:32:10
8	A. Yes. 09:30:34	8	Q. And who is the other person? 09:32:14
9	Q. Okay. And consistent means 09:30:36	9	You said there were two? 09:32:17
10	throughout the year, as you've described, in 09:30:40	10	A. Eileen Spaulding. 09:32:17
11	connection with issues when dealing with 09:30:42	11	Q. Okay. And you have worked with 09:32:19
12	quota requests to the DEA? 09:30:45	12	Mr. Hunter and Ms. Spaulding before, correct? 09:32:21
13	MR. O'CONNOR: Object to form. 09:30:47	13	A. Correct. 09:32:24
14	THE WITNESS: Yes, throughout 09:30:47	14	Q. And you worked with them in 09:32:25
15	the year, but on certain drug 09:30:49	15	connection with the controlled substance 09:32:26
16	substances at different times, sir. 09:30:51	16	compliance team throughout the time you were 09:32:30
17	QUESTIONS BY MR. KO: 09:30:52	17	senior manager, correct? 09:32:31
18	Q. Okay. Going back to your 09:30:53	18	A. Correct. 09:32:32
19	current position as director of controlled 09:30:57	19	(Mallinckrodt-Harper Exhibit 1 09:32:40
20	substance compliance 09:31:01	20	marked for identification.) 09:32:40
21	A. Sorry. 09:31:02	21	QUESTIONS BY MR. KO: 09:32:40
22	Q. That's okay. 09:31:03	22	Q. I'd like to hand you an 09:32:41
23	when did you become 09:31:05	23	exhibit. Go ahead and mark this as Harper 09:32:42
24	director? 09:31:07	24	Exhibit 1. 09:32:56
25	A. Within the last six months. 09:31:08	25	And there's no Bates on this, 09:33:09
	Page 39		Page 41
1	Q. Okay. So fairly recently? 09:31:11	1	but this this appears to be a printout of 09:33:12
2	A. Yes, sir. 09:31:12	2	your LinkedIn profile; is that correct? 09:33:14
3	Q. And before that, you were 09:31:13	3	A. Yes. 09:33:16
4	senior manager of controlled substance 09:31:15	4	Q. And does that appear to be an 09:33:16
5	compliance, correct? 09:31:17	5	accurate reflection or copy of your LinkedIn 09:33:19
6	A. Yes. 09:31:18	6	profile? 09:33:23
7	Q. Okay. And so was this 09:31:18	7	A. Yes. 09:33:23
8	considered a promotion? 09:31:20	8	Q. And I don't want to spend too 09:33:23
9	A. Yes. 09:31:21	9	much time on it, but I do want to ask you a 09:33:25
10	Q. Okay. And who did you replace, 09:31:22	10	question about your involvement in the 09:33:27
11	if at all? If anyone? 09:31:25	11	National Association of Drug Diversion 09:33:33
12	A. No one. 09:31:27	12	Investigators. 09:33:36
13	Q. So was this position created 09:31:28	13	Do you see that reference? I 09:33:37
14	for you? 09:31:30	14	believe that's on the next page. 09:33:38
15	A. Yes. 09:31:30	15	A. Yes, I see it. Yes. 09:33:43
	Q. Okay. And what were the 09:31:31	16	Q. And it indicates that you've 09:33:44
16		17	been a member of the NADDI since 2013? 09:33:46
	circumstances of creating this position? 09:31:34	1	
16	circumstances of creating this position? 09:31:34  A. It was an evolution, if you 09:31:36	18	A. Yes. 09:33:50
16 17		18 19	A. Yes. 09:33:50 Q. What is the NADDI? 09:33:51
16 17 18	A. It was an evolution, if you 09:31:36		
16 17 18 19	A. It was an evolution, if you 09:31:36 will, of my my existing job 09:31:39	19	Q. What is the NADDI? 09:33:51
16 17 18 19 20	A. It was an evolution, if you 09:31:36 will, of my my existing job 09:31:39 responsibilities that merited a different 09:31:43	19 20	<ul><li>Q. What is the NADDI? 09:33:51</li><li>A. It's a group it's a 09:33:54</li></ul>
16 17 18 19 20 21	A. It was an evolution, if you 09:31:36 will, of my my existing job 09:31:39 responsibilities that merited a different title. 09:31:46	19 20 21	Q. What is the NADDI? 09:33:51 A. It's a group it's a 09:33:54 consortium of industry, law enforcement 09:34:00
16 17 18 19 20 21 22	A. It was an evolution, if you 09:31:36 will, of my my existing job 09:31:39 responsibilities that merited a different 09:31:43 title. 09:31:46  Q. Okay. And now that you're 09:31:46	19 20 21 22	Q. What is the NADDI? 09:33:51 A. It's a group it's a 09:33:54  consortium of industry, law enforcement 09:34:00 leaders that assemble to discuss the issues 09:34:05

	5 1		2
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1	A. Yes. 09:34:15	1	V 100 100 100 100 100 100 100 100 100 10
2	Q. And did you have any 09:34:20	2	A. I'd like to clarify my previous 09:35:57
3	involvement in the NADDI prior to 2013? 09:34:21	3	answer. 09:36:00
4	A. Yes. 09:34:23	4	Q. Sure. 09:36:00
5	Q. Okay. And what was that 09:34:28	5	A. I have been a member of 09:36:00
6	involvement? 09:34:29	6	National Association of Controlled Substances 09:36:02
7	A. We received drug feed pardon 09:34:29	7	Authorities. 09:36:05
8	me, information feed entitled "RX News." 09:34:32	8	Q. Okay. Since when? 09:36:05
9	Q. From the NADDI? 09:34:37	9	A. I don't recall the date. 09:36:06
10	A. Yes, sir. 09:34:40	10	Approximately December 2013 forward. 09:36:11
11	Q. Other than receiving news from 09:34:41	11	Q. Okay. So about the same time 09:36:13
12	the NADDI, did you have any other type of 09:34:45	12	you joined the NADDI? 09:36:14
13	involvement with them? 09:34:47	13	A. Yes, sir. 09:36:15
14	A. No. 09:34:48	14	Q. Okay. Did you have any 09:36:16
15	Q. Okay. Were you ever the 09:34:50	15	involvement with this National Association of 09:36:17
16	first time you became a member of the NADDI 09:34:55		Controlled Substances Authorities prior to 09:36:24
17	was in 2013? 09:34:57	17	2013? 09:36:24
18	A. Yes. 09:34:58	18	A. Not that I recall. 09:36:25
19	Q. Okay. Do you have any 09:35:00	19	Q. Okay. So fair to say other 09:36:28
20	involvement with any type of diversion 09:35:02	20	than the Midwest Substance Compliance working 09:36:33
21	organization prior to 2013? 09:35:05	21	group, prior to 2013 you had no other 09:36:37
22	A. Yes. 09:35:06	22	involvement with any other diversion-type 09:36:43
23	Q. And which one is that? 09:35:08	23	group? 09:36:45
24	A. The group name is Midwest 09:35:09	24	A. Not that I recall. 09:36:46
25	Controlled Substances Compliance Discussion 09:35:09	25	Q. Okay. Did you ever consider 09:36:48
	Page 43		Page 45
1	Group. 09:35:18	1	membership or joining any such groups? 09:36:55
2	Q. Okay. And I believe I've seen 09:35:18	2	A. No. 09:36:57
3	plenty of references to that group in the 09:35:21	3	Q. Okay. Why not? 09:36:58
4	documents, but is that correct me if I'm 09:35:23	4	A. My job was full time and my 09:36:59
5	wrong, but is that a type of industry working 09:35:27	5	husband was ill, so I did not participate in 09:37:08
6	group? 09:35:28	6	extracurricular activities, if you will. 09:37:12
7	A. That's correct. 09:35:29	7	Q. Okay. And let's take a step 09:37:14
8	Q. In other words, there were 09:35:29	8	back. 09:37:21
9	other manufacturers and distributors that 09:35:30	9	When you became I understand 09:37:21
10	were part of that group? 09:35:33	10	you don't recall when you became senior 09:37:24
11	A. No distributors. 09:35:33	11	manager of controlled substance compliance, 09:37:26
12	Q. Okay. So manufacturers of 09:35:35	12	but turning back to the first page of your 09:37:28
13	prescription opioids were in that group; is 09:35:36	13	LinkedIn profile, it indicates that or at 09:37:30
14	that correct? 09:35:38	14	least the profile indicates that you have 09:37:34
15	A. Yes. 09:35:38	15	been senior manager for 43 years. 09:37:35
16	Q. Okay. Other than that group, 09:35:39	16	Is that incorrect? 09:37:37
17	any other organization that you were involved 09:35:46	17	A. That's incorrect. 09:37:38
18	in? 09:35:47	18	Q. Okay. It's more accurate to 09:37:39
19	A. No. 09:35:48	19	say that you've been senior manager for some 09:37:41
20	Q. Okay. Are you familiar with 09:35:48	20	period less than 17 years when considering 09:37:44
21	the National Association of Controlled 09:35:51	21	that you joined the controlled substance 09:37:46
22	Substances Authorities? 09:35:53	22	compliance group in 2001? 09:37:48
23	A. Oh, yes. 09:35:53	23	A. Yes. 09:37:49
24	I beg your pardon. 09:35:55	24	Q. Okay. And when you first 09:37:50
25	Q. Okay. So you had involvement 09:35:55	25	became senior manager of the controlled 09:37:55

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1	substance compliance group, what were your 09:37:57	1	QUESTIONS BY MR. KO: 09:40:46
2	general responsibilities? 09:38:00	2	Q. So when you say you had primary 09:40:46
3	A. The same as they were as 09:38:01	3	responsibilities associated with St. Louis 09:40:49
4	manager, except with one exception. I had 09:38:06	4	and Hobart facilities, what exactly do you 09:40:51
5	when the company met with DEA, I was present 09:38:12	5	mean? 09:40:54
6	at those meetings where I had not been 09:38:16	6	A. Prior to that, the controlled 09:40:54
7	necessarily in my previous position. 09:38:19	7	substances compliance group at each facility 09:40:59
8	Q. Okay. So in your previous 09:38:21	8	operated reporting to the management of their 09:41:02
9	position, you had never communicated or 09:38:22	9	separate sites. And so eventually the group 09:41:07
10	never met with the DEA, but when you became 09:38:26	10	became one, and my position provided a 09:41:11
11	senior manager, you became more involved and 09:38:29	11	corporate oversight for all the facilities 09:41:14
12	met actually with the DEA? 09:38:32	12	that had controlled substances compliance 09:41:17
13	MR. O'CONNOR: Object to form. 09:38:33	13	personnel. 09:41:19
14	THE WITNESS: So I'd like to 09:38:34	14	Q. Okay. And when you became 09:41:19
15	clarify, please. 09:38:35	15	senior manager, those responsibilities 09:41:22
16	QUESTIONS BY MR. KO: 09:38:36	16	continued, correct? 09:41:24
17	Q. Sure. 09:38:36	17	A. Yes. 09:41:25
18	A. All through my career in 09:38:37	18	Q. Okay. And as you said, you 09:41:26
19	controlled substances compliance, I 09:38:40	19	started interacting with the DEA on a more 09:41:28
20	communicated with DEA in the course of 09:38:41	20	regular basis. 09:41:31
21	inspections and on quota requests. 09:38:46	21	Do you recall when you first 09:41:32
22	Q. Okay. And so how did that 09:38:51	22	started communicating with the DEA more 09:41:35
23	change when you became senior manager? 09:38:54	23	frequently? 09:41:37
24	A. So there were times when we met 09:38:56	24	MR. O'CONNOR: Object to form. 09:41:38
25	with DEA in Washington, DC, and I then would 09:38:58	25	THE WITNESS: I don't know the 09:41:38
	D 47	_	D 40
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,	_	,	Page 49
1	participate in those meetings. 09:39:05	1	year. Well, it was when I became 09:41:41
2	participate in those meetings. 09:39:05 Q. I see. 09:39:07	2	year. Well, it was when I became 09:41:41 senior manager, but I don't know that 09:41:44
2	participate in those meetings. 09:39:05  Q. I see. 09:39:07  And a moment ago when you said 09:39:08	2	year. Well, it was when I became 09:41:41 senior manager, but I don't know that 09:41:44 year, I'm sorry. 09:41:45
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	participate in those meetings.  Q. I see.  O9:39:07  And a moment ago when you said  O9:39:08 that the only thing that really changed was  O9:39:16 your interactions with the DEA relative to  O9:39:19 when you were a manager, tell please  O9:39:22 describe what your responsibilities were then  O9:39:25 as a manager of the controlled substance  O9:39:27 compliance group.  O9:39:31  A. As a manager of the controlled  O9:39:31  substances compliance group, I had primary  O9:39:33 responsibilities associated with the  O9:39:38 St. Louis plant function in the beginning.  O9:39:40  And then as time went on, we acquired the  Hobart, New York, facility, and they came in  O9:39:44  Hobart, New York, facility, and they came in  O9:39:48 as part of our group.  O9:39:53  MR. KO: Sorry, do you mind if  O9:40:15 we go off the record for just a  O9:40:17 second?  O9:40:18  VIDEOGRAPHER: We're going off  O9:40:19 the record at 9:40 a.m.  O9:40:25	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	year. Well, it was when I became senior manager, but I don't know that op:41:44 year, I'm sorry. 09:41:45  QUESTIONS BY MR. KO: 09:41:45  Q. Okay. Real briefly turning 09:41:45 back to your membership in the NADDI, are you 09:41:50 aware that they conduct trainings on topics 09:41:54 such as diversion? 09:41:58  A. Yes. 09:42:00  Q. Okay. Did you ever attend any 09:42:00 of those trainings? 09:42:01  A. Yes. 09:42:02  Q. Did you ever attend those 09:42:03 trainings before 2013? 09:42:04  A. I don't think so, but I do not 09:42:06 know. 09:42:09  Q. Okay. Prior to 2013, did you 09:42:09 ever attend any type of training related to 09:42:12 diversion? 09:42:16  A. Yes. 09:42:16  A. Yes. 09:42:16  Q. Okay. And what type of 09:42:17 trainings? 09:42:18

	Page 50		Page 52
1	A. And 09:42:26	1	Q. Uh-huh. 09:44:15
2	Q. Go ahead. Sorry. 09:42:27	2	A. Director of controlled 09:44:16
3	A. I apologize. 09:42:27	3	substances compliance at Noramco, and 09:44:1
4	Q. That's okay. 09:42:28	4	representatives and I don't know their 09:44:29
5	A. They're private industry 09:42:29	5	exact titles Actavis and Watson. So those 09:44:30
6	conferences, not so they were hosted by 09:42:33	6	are the ones that come to mind. 09:44:35
7	other than DEA. 09:42:40	7	Q. Okay. And the director of 09:44:38
8	Q. Sure. 09:42:41	8	Teva, who is she or he? 09:44:42
9	Similar to the Midwest 09:42:42	9	A. Her name is Colleen McGinn. 09:44:44
LO	substance compliance group you were referring 09:42:44	10	Q. And how long have you known 09:44:47
11	to, or something separate? 09:42:45	11	her? 09:44:49
L2	A. Something separate. 09:42:46	12	A. Since I joined the controlled 09:44:49
L3	Q. Okay. And these were put on 09:42:47	13	substances compliance group. 09:44:52
L 4	by, as you said, private entities? 09:42:50	14	Q. In 2001? 09:44:52
15	A. Yes. 09:42:52	15	A. Yes. 09:44:56
16	Q. Okay. And in the from the 09:42:53	16	Q. Okay. And did you speak with 09:44:57
L7	2001 to 2013 time period, how frequently did 09:42:58	17	her about diversion-type activities? 09:44:58
18	you attend these trainings? 09:43:02	18	MR. O'CONNOR: Object to form. 09:45:0
19	A. Approximately one per year. 09:43:03	19	THE WITNESS: Yes. 09:45:03
20	Q. One per year. Okay. 09:43:07	20	QUESTIONS BY MR. KO: 09:45:03
21	And the DEA conferences, do you 09:43:08	21	Q. And how frequent? 09:45:04
22	recall going to those on an annual basis or 09:43:10	22	A. Intermittently. I don't know 09:45:05
23	was that less frequent than an annual basis? 09:43:12	23	the frequency. 09:45:09
24	A. When they were offered, there 09:43:16	24	Q. Okay. Are you aware of Federal 09:45:09
25	was a period of time they weren't offered on 09:43:19	25	Register notices? 09:45:21
23	was a period of time they weren't offered on 09.43.19	23	Register notices? 09.45.21
	Page 51		Page 53
1	an annual basis. But, yes, when they were 09:43:22	1	A. Yes. 09:45:22
2	offered, I would attend, yes. 09:43:23	2	Q. Did you regularly review them 09:45:22
3	Q. Okay. And do you recall 09:43:25	3	during your time in the DEA compliance group? 09:45:2
4	" I' DEA 6 ' 1 6 H 00 40 07		
-	attending a DEA conference in the fall 09:43:27	4	A. Yes. 09:45:26
5	of 2008? 09:43:27	5	A. Yes. 09:45:26 MR. O'CONNOR: Object to form. 09:45:26
	5		
5	of 2008? 09:43:32	5	MR. O'CONNOR: Object to form. 09:45:26
5 6	of 2008? 09:43:32 A. I'm so sorry, I'm not good on 09:43:32	5	MR. O'CONNOR: Object to form. 09:45:26 THE WITNESS: Yes. 09:45:28
5 6 7	of 2008? 09:43:32  A. I'm so sorry, I'm not good on 09:43:32 my years. 09:43:37	5 6 7	MR. O'CONNOR: Object to form. 09:45:26 THE WITNESS: Yes. 09:45:28 QUESTIONS BY MR. KO: 09:45:28
5 6 7 8 9	of 2008? 09:43:32 A. I'm so sorry, I'm not good on 09:43:32 my years. 09:43:37 Q. Sure. 09:43:37	5 6 7 8	MR. O'CONNOR: Object to form. 09:45:26 THE WITNESS: Yes. 09:45:28  QUESTIONS BY MR. KO: 09:45:28  Q. How frequent would you say you 09:45:28
5 6 7 8 9	of 2008? 09:43:32  A. I'm so sorry, I'm not good on 09:43:32  my years. 09:43:37  Q. Sure. 09:43:37  A. I can't place the fall of 2008 09:43:37	5 6 7 8 9	MR. O'CONNOR: Object to form. 09:45:26 THE WITNESS: Yes. 09:45:28  QUESTIONS BY MR. KO: 09:45:28  Q. How frequent would you say you 09:45:28 reviewed those? 09:45:30
5 6 7 8 9 10	of 2008? 09:43:32  A. I'm so sorry, I'm not good on 09:43:32  my years. 09:43:37  Q. Sure. 09:43:37  A. I can't place the fall of 2008 09:43:37  and a conference at that time. 09:43:40	5 6 7 8 9	MR. O'CONNOR: Object to form. 09:45:26 THE WITNESS: Yes. 09:45:28  QUESTIONS BY MR. KO: 09:45:28  Q. How frequent would you say you 09:45:28 reviewed those? 09:45:30  A. I or someone in my group 09:45:31 monitored the Register every single day. 09:45:37
5 6 7 8 9 10 11	of 2008? 09:43:32  A. I'm so sorry, I'm not good on 09:43:32 my years. 09:43:37 Q. Sure. 09:43:37 A. I can't place the fall of 2008 09:43:37 and a conference at that time. 09:43:40 Q. That's fine. We can get to 09:43:40 some documents 09:43:42	5 6 7 8 9 10	MR. O'CONNOR: Object to form. 09:45:26 THE WITNESS: Yes. 09:45:28  QUESTIONS BY MR. KO: 09:45:28  Q. How frequent would you say you 09:45:28 reviewed those? 09:45:30  A. I or someone in my group 09:45:31 monitored the Register every single day. 09:45:37
5 6 7 8 9 10 11 12	of 2008?  A. I'm so sorry, I'm not good on 09:43:32 my years. 09:43:37 Q. Sure. 09:43:37 A. I can't place the fall of 2008 09:43:37 and a conference at that time. 09:43:40 Q. That's fine. We can get to 09:43:40 some documents 09:43:42 A. Okay. 09:43:42	5 6 7 8 9 10 11	MR. O'CONNOR: Object to form. 09:45:26 THE WITNESS: Yes. 09:45:28  QUESTIONS BY MR. KO: 09:45:28  Q. How frequent would you say you 09:45:28 reviewed those? 09:45:30  A. I or someone in my group 09:45:31 monitored the Register every single day. 09:45:37  Q. Okay. 09:45:40  A. For DEA notices. 09:45:41
5 6 7 8 9 10 11 112 113	of 2008?  A. I'm so sorry, I'm not good on 09:43:32 my years. 09:43:37 Q. Sure. 09:43:37 A. I can't place the fall of 2008 09:43:37 and a conference at that time. 09:43:40 Q. That's fine. We can get to 09:43:40 some documents 09:43:42 A. Okay. 09:43:42 Q that will hopefully refresh 09:43:42	5 6 7 8 9 10 11 12 13	MR. O'CONNOR: Object to form. 09:45:26  THE WITNESS: Yes. 09:45:28  QUESTIONS BY MR. KO: 09:45:28  Q. How frequent would you say you 09:45:28  reviewed those? 09:45:30  A. I or someone in my group 09:45:31  monitored the Register every single day. 09:45:37  Q. Okay. 09:45:40  A. For DEA notices. 09:45:41  Q. I see. 09:45:43
5 6 7 8 9 10 11 12 13 14	of 2008?  A. I'm so sorry, I'm not good on 09:43:32 my years. 09:43:37 Q. Sure. 09:43:37 A. I can't place the fall of 2008 09:43:37 and a conference at that time. 09:43:40 Q. That's fine. We can get to 09:43:40 some documents 09:43:42 A. Okay. 09:43:42 Q that will hopefully refresh 09:43:42 your recollection later. 09:43:46	5 6 7 8 9 10 11 12 13	MR. O'CONNOR: Object to form. 09:45:26  THE WITNESS: Yes. 09:45:28  QUESTIONS BY MR. KO: 09:45:28  Q. How frequent would you say you 09:45:28  reviewed those? 09:45:30  A. I or someone in my group 09:45:31  monitored the Register every single day. 09:45:37  Q. Okay. 09:45:40  A. For DEA notices. 09:45:41  Q. I see. 09:45:43  And when did you start doing 09:45:43
5 6 7 8 9 10 11 12 13 14 15	of 2008?  A. I'm so sorry, I'm not good on 09:43:32 my years. 09:43:37 Q. Sure. 09:43:37 A. I can't place the fall of 2008 09:43:37 and a conference at that time. 09:43:40 Q. That's fine. We can get to 09:43:40 some documents 09:43:42 A. Okay. 09:43:42 Q that will hopefully refresh 09:43:42 your recollection later. 09:43:46 A. All right. 09:43:47	5 6 7 8 9 10 11 12 13 14 15 16	MR. O'CONNOR: Object to form. 09:45:26  THE WITNESS: Yes. 09:45:28  QUESTIONS BY MR. KO: 09:45:28  Q. How frequent would you say you 09:45:28  reviewed those? 09:45:30  A. I or someone in my group 09:45:31  monitored the Register every single day. 09:45:37  Q. Okay. 09:45:40  A. For DEA notices. 09:45:41  Q. I see. 09:45:43  And when did you start doing 09:45:43  that? 09:45:45
5 6 7 8 9 10 11 12 13 14 15 16	of 2008?  A. I'm so sorry, I'm not good on 09:43:32 my years. 09:43:37 Q. Sure. 09:43:37 A. I can't place the fall of 2008 09:43:37 and a conference at that time. 09:43:40 Q. That's fine. We can get to 09:43:40 some documents 09:43:42 A. Okay. 09:43:42 Q that will hopefully refresh 09:43:42 your recollection later. 09:43:46 A. All right. 09:43:47 Q. Do you maintain relationships 09:43:48	5 6 7 8 9 10 11 12 13 14 15 16	MR. O'CONNOR: Object to form. 09:45:26  THE WITNESS: Yes. 09:45:28  QUESTIONS BY MR. KO: 09:45:28  Q. How frequent would you say you 09:45:28  reviewed those? 09:45:30  A. I or someone in my group 09:45:31  monitored the Register every single day. 09:45:37  Q. Okay. 09:45:40  A. For DEA notices. 09:45:41  Q. I see. 09:45:43  And when did you start doing 09:45:43  that? 09:45:45  A. I don't recall the year. It 09:45:46
5 6 7 8 9 10 11 12 13 14 15 16 17	of 2008?  A. I'm so sorry, I'm not good on 09:43:32  my years. 09:43:37  Q. Sure. 09:43:37  A. I can't place the fall of 2008 09:43:37  and a conference at that time. 09:43:40  Q. That's fine. We can get to 09:43:40  some documents 09:43:42  A. Okay. 09:43:42  Q that will hopefully refresh 09:43:42  your recollection later. 09:43:46  A. All right. 09:43:47  Q. Do you maintain relationships 09:43:48  with any other individuals who have similar 09:43:49	5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR. O'CONNOR: Object to form. 09:45:26  THE WITNESS: Yes. 09:45:28  QUESTIONS BY MR. KO: 09:45:28  Q. How frequent would you say you 09:45:28  reviewed those? 09:45:30  A. I or someone in my group 09:45:31  monitored the Register every single day. 09:45:37  Q. Okay. 09:45:40  A. For DEA notices. 09:45:41  Q. I see. 09:45:43  And when did you start doing 09:45:43  that? 09:45:45  A. I don't recall the year. It 09:45:46  I don't recall the year. 09:45:49
5 6 7 8 9 10 11 12 13 14 15 16 17 18	of 2008?  A. I'm so sorry, I'm not good on 09:43:32  my years. 09:43:37  Q. Sure. 09:43:37  A. I can't place the fall of 2008 09:43:37  and a conference at that time. 09:43:40  Q. That's fine. We can get to 09:43:40  some documents 09:43:42  A. Okay. 09:43:42  Q that will hopefully refresh 09:43:42  your recollection later. 09:43:46  A. All right. 09:43:47  Q. Do you maintain relationships 09:43:48  with any other individuals who have similar 09:43:49 jobs as you do for other entities? 09:43:52	5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR. O'CONNOR: Object to form. 09:45:26  THE WITNESS: Yes. 09:45:28  QUESTIONS BY MR. KO: 09:45:28  Q. How frequent would you say you 09:45:28  reviewed those? 09:45:30  A. I or someone in my group 09:45:31  monitored the Register every single day. 09:45:37  Q. Okay. 09:45:40  A. For DEA notices. 09:45:41  Q. I see. 09:45:43  And when did you start doing 09:45:43  that? 09:45:45  A. I don't recall the year. It 09:45:46  I don't recall the year. 09:45:49  Q. And would you say it was your 09:45:50
5 6 7 8 9 10 11 12 13 14 15 16 17 18	of 2008?  A. I'm so sorry, I'm not good on 09:43:32 my years. 09:43:37 Q. Sure. 09:43:37 A. I can't place the fall of 2008 09:43:37 and a conference at that time. 09:43:40 Q. That's fine. We can get to 09:43:40 some documents 09:43:42 A. Okay. 09:43:42 Q that will hopefully refresh 09:43:42 your recollection later. 09:43:46 A. All right. 09:43:47 Q. Do you maintain relationships 09:43:48 with any other individuals who have similar 09:43:49 jobs as you do for other entities? 09:43:52 A. Yes. 09:43:52	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR. O'CONNOR: Object to form. 09:45:26  THE WITNESS: Yes. 09:45:28  QUESTIONS BY MR. KO: 09:45:28  Q. How frequent would you say you 09:45:28  reviewed those? 09:45:30  A. I or someone in my group 09:45:31  monitored the Register every single day. 09:45:37  Q. Okay. 09:45:40  A. For DEA notices. 09:45:41  Q. I see. 09:45:43  And when did you start doing 09:45:43  that? 09:45:45  A. I don't recall the year. It - 09:45:46  I don't recall the year. 09:45:50  responsibility to review those notices? 09:45:54
5 6 7 8 9 110 111 112 113 114 115 116 117 118 119 220 221	of 2008?  A. I'm so sorry, I'm not good on 09:43:32 my years. 09:43:37 Q. Sure. 09:43:37 A. I can't place the fall of 2008 09:43:37 and a conference at that time. 09:43:40 Q. That's fine. We can get to 09:43:40 some documents 09:43:42 A. Okay. 09:43:42 Q that will hopefully refresh 09:43:42 your recollection later. 09:43:46 A. All right. 09:43:47 Q. Do you maintain relationships 09:43:48 with any other individuals who have similar 09:43:49 jobs as you do for other entities? 09:43:52 A. Yes. 09:43:52 Q. Which individuals and for what 09:44:02	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR. O'CONNOR: Object to form. 09:45:26 THE WITNESS: Yes. 09:45:28  QUESTIONS BY MR. KO: 09:45:28  Q. How frequent would you say you 09:45:28 reviewed those? 09:45:30  A. I or someone in my group 09:45:31 monitored the Register every single day. 09:45:37  Q. Okay. 09:45:40  A. For DEA notices. 09:45:41  Q. I see. 09:45:43  And when did you start doing 09:45:43 that? 09:45:45  A. I don't recall the year. It 09:45:46 I don't recall the year. 09:45:40  Q. And would you say it was your 09:45:50 responsibility to review those notices? 09:45:54  A. Initially, yes. 09:45:57
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	of 2008?  A. I'm so sorry, I'm not good on 09:43:32  my years. 09:43:37  Q. Sure. 09:43:37  A. I can't place the fall of 2008 09:43:37  and a conference at that time. 09:43:40  Q. That's fine. We can get to 09:43:40  some documents 09:43:42  A. Okay. 09:43:42  Q that will hopefully refresh 09:43:42  your recollection later. 09:43:46  A. All right. 09:43:47  Q. Do you maintain relationships 09:43:48  with any other individuals who have similar 09:43:49  jobs as you do for other entities? 09:43:52  A. Yes. 09:43:52  Q. Which individuals and for what 09:44:02  entities do they work for? 09:44:04	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR. O'CONNOR: Object to form. 09:45:26 THE WITNESS: Yes. 09:45:28  QUESTIONS BY MR. KO: 09:45:28  Q. How frequent would you say you 09:45:28 reviewed those? 09:45:30  A. I or someone in my group 09:45:31 monitored the Register every single day. 09:45:37  Q. Okay. 09:45:40  A. For DEA notices. 09:45:41  Q. I see. 09:45:43  And when did you start doing 09:45:43 that? 09:45:45  A. I don't recall the year. It 09:45:46 I don't recall the year. 09:45:49  Q. And would you say it was your 09:45:50 responsibility to review those notices? 09:45:54  A. Initially, yes. 09:45:57  Q. Okay. And when did and I 09:45:58
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	of 2008?  A. I'm so sorry, I'm not good on 09:43:32 my years. 09:43:37 Q. Sure. 09:43:37 A. I can't place the fall of 2008 09:43:37 and a conference at that time. 09:43:40 Q. That's fine. We can get to 09:43:40 some documents 09:43:42 A. Okay. 09:43:42 Q that will hopefully refresh 09:43:42 your recollection later. 09:43:46 A. All right. 09:43:47 Q. Do you maintain relationships 09:43:48 with any other individuals who have similar 09:43:49 jobs as you do for other entities? 09:43:52 A. Yes. 09:43:52 Q. Which individuals and for what 09:44:02 entities do they work for? 09:44:04 A. So there's a director of 09:44:05	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR. O'CONNOR: Object to form. 09:45:26 THE WITNESS: Yes. 09:45:28  QUESTIONS BY MR. KO: 09:45:28  Q. How frequent would you say you 09:45:28 reviewed those? 09:45:30  A. I or someone in my group 09:45:31 monitored the Register every single day. 09:45:37  Q. Okay. 09:45:40  A. For DEA notices. 09:45:41  Q. I see. 09:45:43  And when did you start doing 09:45:43 that? 09:45:45  A. I don't recall the year. It 09:45:46 I don't recall the year. 09:45:49  Q. And would you say it was your 09:45:50 responsibility to review those notices? 09:45:54  A. Initially, yes. 09:45:57  Q. Okay. And when did and I 09:45:58 assume you don't do that anymore if you said 09:46:04
5 6 7 8	of 2008?  A. I'm so sorry, I'm not good on 09:43:32  my years. 09:43:37  Q. Sure. 09:43:37  A. I can't place the fall of 2008 09:43:37  and a conference at that time. 09:43:40  Q. That's fine. We can get to 09:43:40  some documents 09:43:42  A. Okay. 09:43:42  Q that will hopefully refresh 09:43:42  your recollection later. 09:43:46  A. All right. 09:43:47  Q. Do you maintain relationships 09:43:48  with any other individuals who have similar 09:43:49  jobs as you do for other entities? 09:43:52  A. Yes. 09:43:52  Q. Which individuals and for what 09:44:02  entities do they work for? 09:44:04	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR. O'CONNOR: Object to form. 09:45:26 THE WITNESS: Yes. 09:45:28  QUESTIONS BY MR. KO: 09:45:28  Q. How frequent would you say you 09:45:28 reviewed those? 09:45:30  A. I or someone in my group 09:45:31 monitored the Register every single day. 09:45:37  Q. Okay. 09:45:40  A. For DEA notices. 09:45:41  Q. I see. 09:45:43  And when did you start doing 09:45:43 that? 09:45:45  A. I don't recall the year. It 09:45:46 I don't recall the year. 1t 09:45:49  Q. And would you say it was your 09:45:50 responsibility to review those notices? 09:45:54  A. Initially, yes. 09:45:57  Q. Okay. And when did and I 09:45:58

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1	notice that we're antici if we're 09:46:09	1	QUESTIONS BY MR. KO: 09:48:05
2	anticipating pivotal Federal Register Notice 09:46:10	2	Q. The mid-2000s? 09:48:06
3	about quota or our DEA registration, I 09:46:12	3	A. Yes. 09:48:07
4	continue to monitor them, but other other 09:46:16	4	Q. Okay. And would it also be 09:48:07
5	folks within my team monitor them on a daily 09:46:18	5	fair to say that up to that point, DEA 09:48:11
6	basis. 09:46:21	6	actions were against small or mid-sized 09:48:15
7	Q. Okay. And who would be those 09:46:22	7	distributors related to their diversion-type 09:48:23
8	individuals? 09:46:24	8	activities? 09:48:24
9	A. The gentleman's name is Dave 09:46:25	9	A. I can't answer that question. 09:48:24
10	Hunter. He's the manager at the St. Louis 09:46:29	10	I don't know. 09:48:26
11	plant. 09:46:31	11	Q. Now, at some point did you also 09:48:26
12	Q. And he also, as you said 09:46:32	12	become aware of an action involving Purdue? 09:48:3
13	before, reports to you directly right now? 09:46:37	13	MR. O'CONNOR: Object to form. 09:48:36
14	A. Yes. 09:46:39	14	THE WITNESS: Yes. 09:48:37
15	Q. Are you aware of reviewing any 09:46:42	15	QUESTIONS BY MR. KO: 09:48:38
16	Federal Register Notices in the mid-2000s? 09:46:44	16	Q. In particular, did you ever 09:48:40
17	A. I'm certain I'm not certain 09:46:47	17	become aware of the Purdue consent decree in 09:48:4
18	because I'm mixed up on my years. 09:46:54	18	2007? 09:48:45
19		19	
20	But so I guess I'm trying to 09:46:56	20	Q. And are you aware that that 09:48:45
21	get an understanding of when you started 09:46:58	21	investigation revolved around Purdue's 09:48:50
22	reviewing these Federal Register Notices. 09:47:01	22	manufacturing, promotion and advertising 09:48:54
23	A. Certainly that's helpful. 09:47:03	23	activities of OxyContin? 09:48:56
24	When I joined the controlled 09:47:05	24	A. Yes. 09:48:57
25	substances compliance group. 09:47:08	25	Q. Okay. And at the time you 09:48:59
	Page 55		Page 5
1	Q. Okay. Again, we'll get to some 09:47:08	1	became aware of that consent decree, I assume 09:49:0
2	of those in a moment. 09:47:14	2	you're also aware that Mallinckrodt was 09:49:08
3	A. Okay. 09:47:15	3	manufacturing a generic form of OxyContin? 09:49:
4	Q. Now, when you were in the DEA 09:47:16	4	MR. O'CONNOR: Object to form. 09:49:12
5	compliance group, did you become aware of DEA 09:47:25	5	THE WITNESS: I don't know the 09:49:12
6	actions and investigations against major 09:47:29	6	timing of when we entered the market 09:49:16
7	distributors? 09:47:33	7	for OxyContin or, I'm sorry, the 09:49:18
8	A. Yes. 09:47:33	8	generic oxycodone, so I don't know 09:49:22
9	Q. And those major distributors 09:47:34	9	exactly the timing relative to the 09:49:23
	are ABC, Cardinal and McKesson? 09:47:35		-
10	, and the second	10	Purdue matter. 09:49:25
11		11	QUESTIONS BY MR. KO: 09:49:26
12	Q. And did you review the details 09:47:38	12	Q. Okay. So you are aware that 09:49:26
13	of these investigations or DEA actions when 09:47:42	13	Mallinckrodt has manufactured oxycodone, 09:49:2
14	you became aware of them? 09:47:48	14	correct? 09:49:31
15	MR. O'CONNOR: Object to form. 09:47:48	15	A. Yes. 09:49:31
	THE WITNESS: Not on a detailed 09:47:49	16	Q. And oxycodone, generally 09:49:31
16		17	speaking, is a generic form of a prescription 09:49:34
	level all the time, but at a high 09:47:53	1 /	
17	level all the time, but at a high 09:47:53 level, yes. 09:47:55	18	opioid? 09:49:36
17 18			opioid? 09:49:36  A. Oxycodone is the name of the 09:49:38
17 18 19	level, yes. 09:47:55	18	•
17 18 19 20	level, yes. 09:47:55  QUESTIONS BY MR. KO: 09:47:56	18 19	A. Oxycodone is the name of the 09:49:38
17 18 19 20 21	level, yes. 09:47:55  QUESTIONS BY MR. KO: 09:47:56  Q. Okay. Would it be fair to say 09:47:56  that these settlements and DEA actions of the 09:47:58	18 19 20	A. Oxycodone is the name of the 09:49:38 molecule, so, yes, it's yes, oxycodone is 09:49:39 manufactured into the generic, yes. 09:49:43
17 18 19 20 21	level, yes. 09:47:55  QUESTIONS BY MR. KO: 09:47:56  Q. Okay. Would it be fair to say 09:47:56 that these settlements and DEA actions of the 09:47:58 distributors caught your attention in 09:48:01	18 19 20 21	A. Oxycodone is the name of the molecule, so, yes, it's yes, oxycodone is manufactured into the generic, yes. 09:49:43  Q. Okay. And you're also aware 09:49:46
16 17 18 19 20 21 22 23	level, yes. 09:47:55  QUESTIONS BY MR. KO: 09:47:56  Q. Okay. Would it be fair to say 09:47:56 that these settlements and DEA actions of the 09:47:58 distributors caught your attention in 09:48:01	18 19 20 21 22	A. Oxycodone is the name of the 09:49:38 molecule, so, yes, it's yes, oxycodone is 09:49:39 manufactured into the generic, yes. 09:49:43

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1	Q. Including oxy 15 milligrams and 09:49:55	1	had responsibility, if they saw anything that 09:52:20
2	oxy 30 milligrams, correct? 09:49:58	2	appeared to be unusual to them, to escalate 09:52:22
3	A. Yes, in the IR release form, 09:49:59	3	to their manager. 09:52:24
4	yes. 09:50:03	4	We took precautions to make 09:52:26
5	Q. And by "IR" you mean immediate 09:50:03	5	certain that every single order we shipped 09:52:28
6	release, correct? 09:50:05	6	was to a valid DEA registration, every order 09:52:30
7	A. Yes, sir. 09:50:05	7	for Schedule II drugs was that we received 09:52:35
8	Q. Now, one of your primary 09:50:06	8	a 222 form that was filled out correctly, and 09:52:39
9	responsibilities as senior manager of 09:50:28	9	that the order the address on the 222 09:52:42
10	controlled substance compliance was to design 09:50:31	10	forms coincided exactly with the ship to 09:52:45
11	and implement a system to identify suspicious 09:50:35	11	address in our company's order management 09:52:48
12	orders, correct? 09:50:37	12	system. 09:52:51
13	MR. O'CONNOR: Object to form. 09:50:37	13	Q. Okay. And I want to get an 09:52:52
14	THE WITNESS: We already had a 09:50:39	14	understanding of when these elements were in 09:52:53
15	system in place. 09:50:42	15	place, because I've reviewed a lot of 09:52:57
16	QUESTIONS BY MR. KO: 09:50:43	16	documents in this case and I've been able to 09:53:00
17	Q. Okay. So when you say "we 09:50:43	17	determine or at least from my 09:53:02
18	already had a system in place," first of all, 09:50:44	18	interpretation I've been able to see some of 09:53:04
19	when what time period are you talking 09:50:48	19	these things that you have discussed during 09:53:07
20	about right now? 09:50:49	20	certain time periods. But I want to 09:53:08
21	A. All the way back to my days 09:50:50	21	understand what you said a moment ago when 09:53:10
22	before controlled substances compliance, I 09:50:55	22	you said that Mallinckrodt always had a 09:53:14
23	was aware that we had a system in place 09:50:58	23	system. 09:53:15
24	designed to detect orders of unusual pattern, 09:51:02	24	Do you recall that testimony? 09:53:15
25	size and frequency. 09:51:05	25	A. Yes, I do. 09:53:17
	Page 59		Page 61
	_		Page 61
1	Q. Okay. And what did that 09:51:07	1	Q. Are these things that you're 09:53:18
2	Q. Okay. And what did that 09:51:07 system what was your understanding of what 09:51:09	2	Q. Are these things that you're 09:53:18 describing, are you testifying that 09:53:20
2 3	Q. Okay. And what did that 09:51:07 system what was your understanding of what 09:51:09 that system consisted of? 09:51:11	2 3	Q. Are these things that you're 09:53:18 describing, are you testifying that 09:53:20 Mallinckrodt always had all these elements in 09:53:21
2 3 4	Q. Okay. And what did that 09:51:07 system what was your understanding of what 09:51:09 that system consisted of? 09:51:11 A. There was a algorithm in 09:51:14	2 3 4	Q. Are these things that you're 09:53:18 describing, are you testifying that 09:53:20 Mallinckrodt always had all these elements in 09:53:21 connection with the suspicious order 09:53:26
2 3	Q. Okay. And what did that 09:51:07 system what was your understanding of what 09:51:09 that system consisted of? 09:51:11 A. There was a algorithm in 09:51:14 programmed by IT into our order entry system 09:51:20	2 3 4 5	Q. Are these things that you're 09:53:18 describing, are you testifying that 09:53:20 Mallinckrodt always had all these elements in 09:53:21 connection with the suspicious order 09:53:26 monitoring program? 09:53:29
2 3 4 5 6	Q. Okay. And what did that 09:51:07 system what was your understanding of what 09:51:09 that system consisted of? 09:51:11 A. There was a algorithm in 09:51:14 programmed by IT into our order entry system 09:51:20 that would flag orders for further review. 09:51:26	2 3 4 5 6	Q. Are these things that you're 09:53:18 describing, are you testifying that 09:53:20 Mallinckrodt always had all these elements in 09:53:21 connection with the suspicious order 09:53:26 monitoring program? 09:53:29 MR. O'CONNOR: Object to form. 09:53:29
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Okay. And what did that 09:51:07 system what was your understanding of what 09:51:09 that system consisted of? 09:51:11 A. There was a algorithm in 09:51:14 programmed by IT into our order entry system 09:51:20 that would flag orders for further review. 09:51:26 Q. Okay. Other than that 09:51:29 algorithm, were there any other elements of 09:51:32 that system? 09:51:35 A. Yes, quite a few others. 09:51:36 Q. Okay. And what did those 09:51:39 consist of? 09:51:41 A. So we had commercial 09:51:42 representative national account managers 09:51:46 that were our eyes and ears and boots on the 09:51:49 ground at the customer accounts. We trained 09:51:51 them to be vigilant for any potential sign 09:51:54 red flags that could be indicative of 09:51:59 diversion as they visited customers. 09:52:01 May I go on, please? 09:52:05 Q. Yeah. 09:52:06	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Are these things that you're describing, are you testifying that 09:53:20  Mallinckrodt always had all these elements in 09:53:21 connection with the suspicious order 09:53:26 monitoring program? 09:53:29  MR. O'CONNOR: Object to form. 09:53:29  THE WITNESS: There's one that 09:53:30  I'm not certain of, but all the other 09:53:35 elements, yes, have been in place 09:53:37 since I became aware all the way back 09:53:40 to my days in manufacturing and within 09:53:42 the scope of DEA audits. 09:53:44  QUESTIONS BY MR. KO: 09:53:46  Q. Okay. So prior to, for 09:53:54  A. Yes. 09:53:54  Q there was I just want to 09:53:55 make sure I understand. 09:53:58  A. Certainly. 09:53:58  Q. The suspicious order monitoring 09:53:59 program, as you understand it, consisted of 09:54:01
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Okay. And what did that 09:51:07 system what was your understanding of what 09:51:09 that system consisted of? 09:51:11 A. There was a algorithm in 09:51:14 programmed by IT into our order entry system 09:51:20 that would flag orders for further review. 09:51:26 Q. Okay. Other than that 09:51:29 algorithm, were there any other elements of 09:51:32 that system? 09:51:35 A. Yes, quite a few others. 09:51:36 Q. Okay. And what did those 09:51:39 consist of? 09:51:41 A. So we had commercial 09:51:42 representative national account managers 09:51:46 that were our eyes and ears and boots on the 09:51:49 ground at the customer accounts. We trained 09:51:51 them to be vigilant for any potential sign 09:51:54 red flags that could be indicative of 09:52:01 May I go on, please? 09:52:05 Q. Yeah. 09:52:06 A. We have customer service 09:52:07	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Are these things that you're describing, are you testifying that 09:53:20  Mallinckrodt always had all these elements in 09:53:21 connection with the suspicious order 09:53:26 monitoring program? 09:53:29  MR. O'CONNOR: Object to form. 09:53:29  THE WITNESS: There's one that 09:53:30  I'm not certain of, but all the other 09:53:35  elements, yes, have been in place 09:53:37  since I became aware all the way back 09:53:40 to my days in manufacturing and within 09:53:42 the scope of DEA audits. 09:53:44  QUESTIONS BY MR. KO: 09:53:46  Q. Okay. So prior to, for 09:53:54  A. Yes. 09:53:54  Q there was I just want to 09:53:55  make sure I understand. 09:53:58  A. Certainly. 09:53:58  Q. The suspicious order monitoring 09:54:01 both an algorithm and other factors that you 09:54:04
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Okay. And what did that 09:51:07 system what was your understanding of what 09:51:09 that system consisted of? 09:51:11 A. There was a algorithm in 09:51:14 programmed by IT into our order entry system 09:51:20 that would flag orders for further review. 09:51:26 Q. Okay. Other than that 09:51:29 algorithm, were there any other elements of 09:51:32 that system? 09:51:35 A. Yes, quite a few others. 09:51:36 Q. Okay. And what did those 09:51:39 consist of? 09:51:41 A. So we had commercial 09:51:42 representative national account managers 09:51:46 that were our eyes and ears and boots on the 09:51:49 ground at the customer accounts. We trained 09:51:51 them to be vigilant for any potential sign 09:51:54 red flags that could be indicative of 09:52:05 diversion as they visited customers. 09:52:05 Q. Yeah. 09:52:06 A. We have customer service 09:52:07 representatives who are veteran in the 09:52:08	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Are these things that you're describing, are you testifying that 09:53:20  Mallinckrodt always had all these elements in 09:53:21 connection with the suspicious order 09:53:26  monitoring program? 09:53:29  MR. O'CONNOR: Object to form. 09:53:29  THE WITNESS: There's one that 09:53:30  I'm not certain of, but all the other 09:53:35  elements, yes, have been in place 09:53:37  since I became aware all the way back 09:53:40  to my days in manufacturing and within 09:53:42  the scope of DEA audits. 09:53:44  QUESTIONS BY MR. KO: 09:53:46  example, 2003 09:53:54  A. Yes. 09:53:54  Q there was I just want to 09:53:55  make sure I understand. 09:53:58  Q. The suspicious order monitoring 09:53:59  program, as you understand it, consisted of 09:54:01  both an algorithm and other factors that you 09:54:04  had previously described; is that correct? 09:54:07

	3 1		
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1	you understood to be the by the way, do 09:54:13	1	Q. That's okay. 09:56:03
2	you mind if I call suspicious order 09:54:17	2	And when you say "may be," is 09:56:04
3	monitoring "SOM" for short? 09:54:19	3	one way to say it that a fundamental feature 09:56:08
4	A. I don't mind. 09:54:20	4	of a SOM program is to guard against the 09:56:12
5	Q. Okay. Other than what you 09:54:21	5	potential diversion of controlled substances? 09:56:16
6	believe to be the elements of Mallinckrodt's 09:54:25	6	MR. O'CONNOR: Object to form. 09:56:17
7	SOM program, when you became involved as a 09:54:28	7	THE WITNESS: Yes. 09:56:18
8	senior manager of the controlled substances 09:54:33	8	QUESTIONS BY MR. KO: 09:56:20
9	compliance group, is it accurate to say that 09:54:36	9	Q. Okay. And guarding against the 09:56:20
10	one of your primary responsibilities was to 09:54:39	10	diversion of prescription opioids is an 09:56:23
11	design and implement a system to identify 09:54:41	11	important responsibility of a company that 09:56:25
12	suspicious orders? 09:54:44	12	manufactures prescription opioids; wouldn't 09:56:28
13	MR. O'CONNOR: Object to form. 09:54:44	13	you say? 09:56:29
14	THE WITNESS: So, sir, we 09:54:45	14	A. Yes. 09:56:31
15	already had a system in place to 09:54:47	15	Q. Okay. And as we discussed 09:56:32
16	identify suspicious orders. 09:54:49	16	before, the CSA imposes that obligation on 09:56:33
17	QUESTIONS BY MR. KO: 09:54:51	17	registrants in the supply chain, including on 09:56:37
18	Q. Okay. Well, it's my 09:54:51	18	Mallinckrodt, correct? 09:56:39
19	understanding that you revised that system 09:54:55	19	MR. O'CONNOR: Object to form. 09:56:40
20	over time when you were a senior manager. 09:54:58	20	THE WITNESS: Yes. 09:56:40
21	Is that fair to say? 09:55:00	21	QUESTIONS BY MR. KO: 09:56:41
22	A. Yes. 09:55:01	22	Q. And would you agree with me 09:56:43
23	Q. Okay. So during the time that 09:55:02	23	that that would be one of the most 09:56:45
24	you were senior manager, is it accurate to 09:55:05	24	fundamental duties of the CSA? 09:56:46
25	say that you continued to help design and 09:55:06	25	MR. O'CONNOR: Object to form. 09:56:48
	Page 63		Page 65
1	implement Mallinckrodt's suspicious order 09:55:10	1	THE WITNESS: The CSA covers 09:56:48
2	monitoring system? 09:55:12	2	many aspects, my understanding, for 09:56:53
3	A. Yes. 09:55:13	3	to maintain the closed system of 09:56:57
4	Q. Okay. Now, a fundamental 09:55:14	4	distribution, and suspicious order 09:57:00
5	feature of any SOM program is to prevent 09:55:17	5	monitoring is one of those components. 09:57:02
6	diversion of controlled substances, so just 09:55:20	6	QUESTIONS BY MR. KO: 09:57:03
7	prescription opioids manufactured by 09:55:23	7	Q. Sure. 09:57:03
8	Mallinckrodt; is that correct? 09:55:24	8	And I understand that there are 09:57:04
9	MR. O'CONNOR: Object to form. 09:55:25	9	a lot of aspects to the CSA, but from your 09:57:06
10	THE WITNESS: Not to prevent, 09:55:26	10	perspective, would you agree with me that 09:57:09
11	but to guard against diversion. 09:55:30	11	guarding against diversion, as you put it, is 09:57:12
12	QUESTIONS BY MR. KO: 09:55:32	12	one of the fundamental duties of the CSA? 09:57:15
13	Q. Okay. So you have a 09:55:32	13	MR. O'CONNOR: Objection. 09:57:17
14	distinction between prevent and guard 09:55:33	14	Form. 09:57:18
15	against? 09:55:36	15	THE WITNESS: I can't say if 09:57:18
16	A. Yes. 09:55:36	16	it yes. Yes. 09:57:22
17	Q. Okay. And what is that 09:55:36	17	QUESTIONS BY MR. KO: 09:57:23
18		18	Q. Okay. Now, as we discussed 09:57:24
	distinction? 09:55:38		
19	A. So prevent is an absolute. It 09:55:38	19	before, in connection with these duties, you 09:57:29
19 20	A. So prevent is an absolute. It 09:55:38 means we can assure that there's never any 09:55:41	19 20	helped revise Mallinckrodt's suspicious order 09:57:33
19 20 21	A. So prevent is an absolute. It 09:55:38 means we can assure that there's never any 09:55:41 diversion of our product. 09:55:44	19 20 21	helped revise Mallinckrodt's suspicious order 09:57:33 monitoring program, correct? 09:57:36
19 20 21 22	A. So prevent is an absolute. It 09:55:38 means we can assure that there's never any 09:55:41 diversion of our product. 09:55:44 Guard against means to the 09:55:46	19 20 21 22	helped revise Mallinckrodt's suspicious order 09:57:33 monitoring program, correct? 09:57:36 A. Correct. 09:57:37
19 20 21 22 23	A. So prevent is an absolute. It 09:55:38  means we can assure that there's never any 09:55:41  diversion of our product. 09:55:44  Guard against means to the 09:55:46  extent we're able, detect orders that may 09:55:50	19 20 21 22 23	helped revise Mallinckrodt's suspicious order 09:57:33 monitoring program, correct? 09:57:36  A. Correct. 09:57:37 Q. And these revisions occurred 09:57:38
19 20 21 22 23 24	A. So prevent is an absolute. It 09:55:38 means we can assure that there's never any 09:55:41 diversion of our product. 09:55:44  Guard against means to the 09:55:46 extent we're able, detect orders that may 09:55:50 be that are cause for further review, 09:56:00	19 20 21 22 23 24	helped revise Mallinckrodt's suspicious order 09:57:33 monitoring program, correct? 09:57:36  A. Correct. 09:57:37  Q. And these revisions occurred 09:57:38 generally in the 2000 the late, I guess I 09:57:42
19 20 21 22 23	A. So prevent is an absolute. It 09:55:38  means we can assure that there's never any 09:55:41  diversion of our product. 09:55:44  Guard against means to the 09:55:46  extent we're able, detect orders that may 09:55:50	19 20 21 22 23	helped revise Mallinckrodt's suspicious order 09:57:33 monitoring program, correct? 09:57:36  A. Correct. 09:57:37 Q. And these revisions occurred 09:57:38

1	Page 66	1	Page 68 QUESTIONS BY MR. KO: 09:59:34
	These revisions occurred 09:57:50 sometime between the 2008 and 2012 time 09:57:52		
2		2	Q. Okay. And when you say you 09:59:35
3	period. Would that be fair to say? 09:57:55	3	were "part of a team," who was on that team? 09:59:3
4	MR. O'CONNOR: Object to form. 09:57:57	4	A. Security. 09:59:38
5	THE WITNESS: Yes, but they're 09:57:58	5	Q. Okay. And security, is that 09:59:42
6	ongoing to this day, yes. 09:57:59	6	Bill Ratliff? 09:59:43
7	QUESTIONS BY MR. KO: 09:58:00	7	A. It was Bill Ratliff, and he's 09:59:44
8	Q. Would it be accurate to say 09:58:00	8	retired, and now it's John Gillies. 09:59:47
9	that there was increased scrutiny on 09:58:01	9	Q. Okay. Anybody other than Bill 09:59:49
10	Mallinckrodt's SOM program in 2008? 09:58:03	10	Ratliff or John Gillies? 09:59:51
11	MR. O'CONNOR: Object to form. 09:58:07	11	A. Yes, legal. 09:59:53
12	THE WITNESS: I can't say that. 09:58:07	12	Q. Was that Mr. Lohman and 09:59:54
13	QUESTIONS BY MR. KO: 09:58:13	13	Ms. Duft? 09:59:56
14	Q. Okay. 09:58:14	14	A. Yes. 10:00:00
15	A. No. 09:58:14	15	Q. Okay. Who else? 10:00:01
16	Q. Do you recall a time in which 09:58:14	16	A. Members of the commercial 10:00:06
17	you believed there was increased scrutiny on 09:58:18	17	group. Members of the IT group. 10:00:09
18	Mallinckrodt's SOM program? 09:58:21	18	Q. So other than security, legal, 10:00:10
19	MR. O'CONNOR: Object to form. 09:58:22	19	commercial and IT, were there any other 10:00:16
20	THE WITNESS: We had ongoing 09:58:23	20	groups or departments that were part of the 10:00:18
21	discussions with DEA, but, yes, yes, 09:58:26	21	SOM team? 10:00:20
22	there was a time. 09:58:29	22	A. Yes. Members of the SOM team 10:00:21
23	QUESTIONS BY MR. KO: 09:58:29	23	came and went through different iterations of 10:00:23
24	Q. And approximately what time 09:58:30	24	the program, so I don't recall the 10:00:27
25	period was that? 09:58:31	25	composition of the team at a specific time, 10:00:29
	Page 67		Page 69
1	A. We met with DEA in August 09:58:32	1	but there was a patient and product 10:00:31
2	of 2011, I do remember that date 09:58:36	2	monitoring group that was a participant in 10:00:34
3	Q. Okay. 09:58:38	3	the team. Credit department was a 10:00:39
4	A and they had some additional 09:58:39	4	participant in the team. And those are the 10:00:42
5	suggestions about potential enhancements of 09:58:41	5	ones I can recall. 10:00:44
5	-		
6	our suspicious order monitoring program. 09:58:43	6	Q. Okay. Thank you. 10:00:46
	our suspicious order monitoring program. 09:58:43  Q. Do you recall any instances in 09:58:45	6	Q. Okay. Thank you. 10:00:46 When you referenced the 10:00:46
6	our suspicious order monitoring program. 09:58:43  Q. Do you recall any instances in 09:58:45  which you met with DEA prior to that in which 09:58:55		Q. Okay. Thank you. 10:00:46  When you referenced the 10:00:46  commercial group a moment ago, what did that 10:00:51
6 7	our suspicious order monitoring program. 09:58:43 Q. Do you recall any instances in 09:58:45 which you met with DEA prior to that in which 09:58:55 you discussed Mallinckrodt's SOM program? 09:58:59	7	Q. Okay. Thank you. 10:00:46  When you referenced the 10:00:46  commercial group a moment ago, what did that 10:00:51  consist of? 10:00:56
6 7 8 9	our suspicious order monitoring program. 09:58:43  Q. Do you recall any instances in 09:58:45  which you met with DEA prior to that in which 09:58:55  you discussed Mallinckrodt's SOM program? 09:58:59  A. Yes. 09:59:01	7 8	Q. Okay. Thank you. 10:00:46  When you referenced the 10:00:46  commercial group a moment ago, what did that 10:00:51  consist of? 10:00:56  In other words, who were 10:00:57
6 7 8 9	our suspicious order monitoring program. 09:58:43  Q. Do you recall any instances in 09:58:45  which you met with DEA prior to that in which 09:58:55  you discussed Mallinckrodt's SOM program? 09:58:59  A. Yes. 09:59:01  Q. Okay. When was that? 09:59:02	7 8 9	Q. Okay. Thank you. 10:00:46  When you referenced the 10:00:46  commercial group a moment ago, what did that 10:00:51  consist of? 10:00:56  In other words, who were 10:00:57  members of that commercial group? 10:00:59
6 7 8 9 10	our suspicious order monitoring program. 09:58:43 Q. Do you recall any instances in 09:58:45 which you met with DEA prior to that in which 09:58:55 you discussed Mallinckrodt's SOM program? 09:58:59 A. Yes. 09:59:01 Q. Okay. When was that? 09:59:02 A. I don't remember the year, but 09:59:03	7 8 9 10	Q. Okay. Thank you. 10:00:46  When you referenced the 10:00:46  commercial group a moment ago, what did that 10:00:51  consist of? 10:00:56  In other words, who were 10:00:57  members of that commercial group? 10:00:59  A. Primarily John Adams. 10:01:00
6 7 8 9 10 11	our suspicious order monitoring program. 09:58:43  Q. Do you recall any instances in 09:58:45  which you met with DEA prior to that in which 09:58:55  you discussed Mallinckrodt's SOM program? 09:58:59  A. Yes. 09:59:01  Q. Okay. When was that? 09:59:02	7 8 9 10 11	Q. Okay. Thank you. 10:00:46  When you referenced the 10:00:46  commercial group a moment ago, what did that 10:00:51  consist of? 10:00:56  In other words, who were 10:00:57  members of that commercial group? 10:00:59
6 7 8 9 10 11 12	our suspicious order monitoring program. 09:58:43 Q. Do you recall any instances in 09:58:45 which you met with DEA prior to that in which 09:58:55 you discussed Mallinckrodt's SOM program? 09:58:59 A. Yes. 09:59:01 Q. Okay. When was that? 09:59:02 A. I don't remember the year, but 09:59:03	7 8 9 10 11 12	Q. Okay. Thank you. 10:00:46  When you referenced the 10:00:46  commercial group a moment ago, what did that 10:00:51  consist of? 10:00:56  In other words, who were 10:00:57  members of that commercial group? 10:00:59  A. Primarily John Adams. 10:01:00
6 7 8 9 10 11 12 13	our suspicious order monitoring program. 09:58:43 Q. Do you recall any instances in 09:58:45 which you met with DEA prior to that in which 09:58:55 you discussed Mallinckrodt's SOM program? 09:58:59 A. Yes. 09:59:01 Q. Okay. When was that? 09:59:02 A. I don't remember the year, but 09:59:03 there was a discussion with DEA St. Louis on 09:59:06	7 8 9 10 11 12	Q. Okay. Thank you. 10:00:46  When you referenced the 10:00:46  commercial group a moment ago, what did that 10:00:51  consist of? 10:00:56  In other words, who were 10:00:57  members of that commercial group? 10:00:59  A. Primarily John Adams. 10:01:00  Q. Anyone else? 10:01:05
6 7 8 9 110 111 112 113 114	our suspicious order monitoring program. 09:58:43  Q. Do you recall any instances in 09:58:45  which you met with DEA prior to that in which 09:58:55  you discussed Mallinckrodt's SOM program? 09:58:59  A. Yes. 09:59:01  Q. Okay. When was that? 09:59:02  A. I don't remember the year, but 09:59:03  there was a discussion with DEA St. Louis on 09:59:06  that topic. 09:59:10	7 8 9 10 11 12 13	Q. Okay. Thank you. 10:00:46  When you referenced the 10:00:46  commercial group a moment ago, what did that 10:00:51  consist of? 10:00:56  In other words, who were 10:00:57  members of that commercial group? 10:00:59  A. Primarily John Adams. 10:01:00  Q. Anyone else? 10:01:05  A. A gentleman named Steve Becker. 10:01:07
6 7 8 9 110 111 112 113 114 115	our suspicious order monitoring program. 09:58:43 Q. Do you recall any instances in 09:58:45 which you met with DEA prior to that in which 09:58:55 you discussed Mallinckrodt's SOM program? 09:58:59 A. Yes. 09:59:01 Q. Okay. When was that? 09:59:02 A. I don't remember the year, but 09:59:03 there was a discussion with DEA St. Louis on 09:59:06 that topic. 09:59:10 Q. Okay. By the way, when you 09:59:11	7 8 9 10 11 12 13 14 15	Q. Okay. Thank you. 10:00:46  When you referenced the 10:00:46  commercial group a moment ago, what did that 10:00:51  consist of? 10:00:56  In other words, who were 10:00:57  members of that commercial group? 10:00:59  A. Primarily John Adams. 10:01:00  Q. Anyone else? 10:01:05  A. A gentleman named Steve Becker. 10:01:07  Q. Okay. And Steve Becker was a 10:01:09
6 7 8 9 110 111 112 113 114 115 116 117	our suspicious order monitoring program. 09:58:43 Q. Do you recall any instances in 09:58:45 which you met with DEA prior to that in which 09:58:55 you discussed Mallinckrodt's SOM program? 09:58:59 A. Yes. 09:59:01 Q. Okay. When was that? 09:59:02 A. I don't remember the year, but 09:59:03 there was a discussion with DEA St. Louis on 09:59:06 that topic. 09:59:10 Q. Okay. By the way, when you 09:59:11 became senior manager of controlled substance 09:59:16	7 8 9 10 11 12 13 14 15	Q. Okay. Thank you. 10:00:46  When you referenced the 10:00:46  commercial group a moment ago, what did that 10:00:51  consist of? 10:00:56  In other words, who were 10:00:57  members of that commercial group? 10:00:59  A. Primarily John Adams. 10:01:00  Q. Anyone else? 10:01:05  A. A gentleman named Steve Becker. 10:01:07  Q. Okay. And Steve Becker was a 10:01:09  national account manager, correct? 10:01:14
6 7 8 9 110 111 112 113 114 115 116 117 118	our suspicious order monitoring program. 09:58:43  Q. Do you recall any instances in 09:58:45  which you met with DEA prior to that in which 09:58:55  you discussed Mallinckrodt's SOM program? 09:58:59  A. Yes. 09:59:01  Q. Okay. When was that? 09:59:02  A. I don't remember the year, but 09:59:03  there was a discussion with DEA St. Louis on 09:59:06  that topic. 09:59:10  Q. Okay. By the way, when you 09:59:11  became senior manager of controlled substance 09:59:16  compliance group of the controlled 09:59:19	7 8 9 10 11 12 13 14 15 16 17	Q. Okay. Thank you. 10:00:46  When you referenced the 10:00:46  commercial group a moment ago, what did that 10:00:51  consist of? 10:00:56  In other words, who were 10:00:57  members of that commercial group? 10:00:59  A. Primarily John Adams. 10:01:00  Q. Anyone else? 10:01:05  A. A gentleman named Steve Becker. 10:01:07  Q. Okay. And Steve Becker was a 10:01:09  national account manager, correct? 10:01:14  A. Correct. 10:01:15
6 7 8 9 110 111 112 113 114 115 116 117 118 119	our suspicious order monitoring program. 09:58:43 Q. Do you recall any instances in 09:58:45 which you met with DEA prior to that in which 09:58:55 you discussed Mallinckrodt's SOM program? 09:58:59 A. Yes. 09:59:01 Q. Okay. When was that? 09:59:02 A. I don't remember the year, but 09:59:03 there was a discussion with DEA St. Louis on 09:59:06 that topic. 09:59:10 Q. Okay. By the way, when you 09:59:11 became senior manager of controlled substance 09:59:16 compliance group of the controlled 09:59:19 substance compliance group, you were the 09:59:21	7 8 9 10 11 12 13 14 15 16 17	Q. Okay. Thank you. 10:00:46  When you referenced the 10:00:46  commercial group a moment ago, what did that 10:00:51  consist of? 10:00:56  In other words, who were 10:00:57  members of that commercial group? 10:00:59  A. Primarily John Adams. 10:01:00  Q. Anyone else? 10:01:05  A. A gentleman named Steve Becker. 10:01:07  Q. Okay. And Steve Becker was a 10:01:09  national account manager, correct? 10:01:14  A. Correct. 10:01:15  Q. Okay. Were there any other 10:01:16
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6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	our suspicious order monitoring program. 09:58:43 Q. Do you recall any instances in 09:58:45 which you met with DEA prior to that in which 09:58:55 you discussed Mallinckrodt's SOM program? 09:58:59 A. Yes. 09:59:01 Q. Okay. When was that? 09:59:02 A. I don't remember the year, but 09:59:03 there was a discussion with DEA St. Louis on 09:59:06 that topic. 09:59:10 Q. Okay. By the way, when you 09:59:11 became senior manager of controlled substance 09:59:16 compliance group of the controlled 09:59:19 substance compliance group, you were the 09:59:21 you had the primary responsibility of 09:59:24 revising and designing Mallinckrodt's SOM 09:59:26 program; is that fair to say? 09:59:29 MR. O'CONNOR: Object to form. 09:59:31	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Okay. Thank you. 10:00:46  When you referenced the 10:00:46  commercial group a moment ago, what did that 10:00:51  consist of? 10:00:56  In other words, who were 10:00:57  members of that commercial group? 10:00:59  A. Primarily John Adams. 10:01:00  Q. Anyone else? 10:01:05  A. A gentleman named Steve Becker. 10:01:07  Q. Okay. And Steve Becker was a 10:01:09  national account manager, correct? 10:01:14  A. Correct. 10:01:15  Q. Okay. Were there any other 10:01:16  customer service representatives that were 10:01:18  part of that group? 10:01:20  Q. Okay. Who were they? 10:01:21
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	Page 70		Page 72
1	Q. And Jim Rausch was part of 10:01:36	1	dispensing and consumption of controlled 10:03:34
2	commercial? 10:01:40	2	substances. 10:03:39
3	A. Well, we distinguish 10:01:40	3	So we have many programs within 10:03:40
4	customer service is not considered to be part 10:01:46	4	Mallinckrodt, as a responsible manufacturer, 10:03:42
5	of commercial, although it would seem that it 10:01:47	5	aimed at guarding against diversion. 10:03:45
6	would be, so customer service is a separate 10:01:49	6	Q. Okay. And taking that last 10:03:46
7	group. 10:01:51	7	category that you described with respect to 10:03:48
8	Q. Okay. Than commercial you're 10:01:51	8	educating, I guess the public on safe 10:03:50
9	saying? 10:01:53	9	prescribing and dispensing, when did 10:03:55
10	A. Yes. 10:01:53	10	Mallinckrodt first engage in that type of 10:03:57
11	Q. Now, you mentioned some names 10:01:54	11	conduct? 10:04:01
12	of people that have been deposed previously 10:01:57	12	A. I do not know the answer. 10:04:01
13	in this case in the past few weeks. Many of 10:02:01	13	Q. Do you generally recall if it 10:04:03
14	them have testified that you are the person 10:02:05	14	was after 2010? 10:04:06
15	most knowledgeable about Mallinckrodt's SOM 10:02:07	15	A. I'm sorry, I don't know when 10:04:06
16	program. 10:02:10	16	the group 10:04:08
17	Would you agree with that 10:02:10	17	Q. Okay. 10:04:10
18	assessment? 10:02:10	18	A was created. 10:04:10
19	MR. O'CONNOR: Object to form. 10:02:11	19	Q. And then when you described the 10:04:11
20	THE WITNESS: Well, I'm not a 10:02:12	20	law enforcement activities, it seemed like to 10:04:12
21	vain person, but, yes, I know a lot 10:02:17	21	me, and correct me if I'm wrong, that 10:04:16
22	about the program, but it's all been 10:02:18	22	those you provided that type of support 10:04:21
23	with the contributions of a a team 10:02:20	23	when they requested it; is that fair to say? 10:04:23
24	effort as time has gone on. 10:02:22	24	MR. O'CONNOR: Object to form. 10:04:27
25	g	25	THE WITNESS: Yes. 10:04:28
	Page 71		Page 73
			- 1
1	QUESTIONS BY MR. KO: 10:02:23	1	QUESTIONS BY MR. KO: 10:04:30
1 2	QUESTIONS BY MR. KO: 10:02:23 Q. Sure. 10:02:23	1 2	QUESTIONS BY MR. KO: 10:04:30 Q. Okay. So in other words, there 10:04:30
	QUESTIONS BY MR. KO: 10:02:23  Q. Sure. 10:02:23  Do you believe there's anyone 10:02:25		QUESTIONS BY MR. KO: 10:04:30 Q. Okay. So in other words, there 10:04:30 wasn't a program in place in which you were 10:04:32
2	QUESTIONS BY MR. KO: 10:02:23  Q. Sure. 10:02:23  Do you believe there's anyone 10:02:25 in the SOM team or anyone else in the 10:02:27	2	QUESTIONS BY MR. KO: 10:04:30 Q. Okay. So in other words, there 10:04:30 wasn't a program in place in which you were 10:04:32 regularly providing testimony, for example, 10:04:35
2 3	QUESTIONS BY MR. KO: 10:02:23  Q. Sure. 10:02:23  Do you believe there's anyone 10:02:25  in the SOM team or anyone else in the 10:02:27  company, for that matter, with more knowledge 10:02:30	2 3	QUESTIONS BY MR. KO: 10:04:30 Q. Okay. So in other words, there 10:04:30 wasn't a program in place in which you were 10:04:32 regularly providing testimony, for example, 10:04:35 but you were you were providing testimony 10:04:37
2 3 4	QUESTIONS BY MR. KO: 10:02:23  Q. Sure. 10:02:23  Do you believe there's anyone 10:02:25  in the SOM team or anyone else in the 10:02:27  company, for that matter, with more knowledge 10:02:30  about Mallinckrodt's suspicious order 10:02:31	2 3 4	QUESTIONS BY MR. KO: 10:04:30 Q. Okay. So in other words, there 10:04:30 wasn't a program in place in which you were 10:04:32 regularly providing testimony, for example, 10:04:35 but you were you were providing testimony 10:04:37 to help law enforcement when they requested 10:04:39
2 3 4 5 6 7	QUESTIONS BY MR. KO: 10:02:23  Q. Sure. 10:02:23  Do you believe there's anyone 10:02:25  in the SOM team or anyone else in the 10:02:27  company, for that matter, with more knowledge 10:02:30  about Mallinckrodt's suspicious order 10:02:31  monitoring program than you? 10:02:33	2 3 4 5 6 7	QUESTIONS BY MR. KO: 10:04:30 Q. Okay. So in other words, there 10:04:30 wasn't a program in place in which you were 10:04:32 regularly providing testimony, for example, 10:04:35 but you were you were providing testimony 10:04:37 to help law enforcement when they requested 10:04:39 it; is that fair? 10:04:41
2 3 4 5 6 7 8	QUESTIONS BY MR. KO: 10:02:23  Q. Sure. 10:02:23  Do you believe there's anyone 10:02:25  in the SOM team or anyone else in the 10:02:27  company, for that matter, with more knowledge 10:02:30  about Mallinckrodt's suspicious order 10:02:31  monitoring program than you? 10:02:33  MR. O'CONNOR: Object to form. 10:02:36	2 3 4 5 6	QUESTIONS BY MR. KO: 10:04:30 Q. Okay. So in other words, there 10:04:30 wasn't a program in place in which you were 10:04:32 regularly providing testimony, for example, 10:04:35 but you were you were providing testimony 10:04:37 to help law enforcement when they requested 10:04:39 it; is that fair? 10:04:41 A. So I don't know I may not be 10:04:42
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	QUESTIONS BY MR. KO: 10:02:23  Q. Sure. 10:02:23  Do you believe there's anyone 10:02:25 in the SOM team or anyone else in the Company, for that matter, with more knowledge 10:02:30 about Mallinckrodt's suspicious order 10:02:31 monitoring program than you? 10:02:33  MR. O'CONNOR: Object to form. 10:02:36 THE WITNESS: I'll say that's 10:02:36 unlikely. 10:02:37  QUESTIONS BY MR. KO: 10:02:38 Q. Okay. By the way, other than 10:02:38 the SOM program that you helped revise, 10:02:43 design and implement, were there any other 10:02:48 programs or systems in place at Mallinckrodt 10:02:53 related to diversion of controlled 10:02:57 substances? 10:03:00	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	QUESTIONS BY MR. KO: 10:04:30 Q. Okay. So in other words, there 10:04:30 wasn't a program in place in which you were 10:04:32 regularly providing testimony, for example, 10:04:35 but you were you were providing testimony 10:04:37 to help law enforcement when they requested 10:04:39 it; is that fair? 10:04:41 A. So I don't know I may not be 10:04:42 aware of other people in other groups that 10:04:46 provided testimony, such as our research 10:04:48 scientists, so but those are the times 10:04:50 that I am aware. 10:04:54 Q. Okay. Now, is it accurate to 10:04:55 say that one of the you mentioned this a 10:04:56 moment ago, but I just want to make sure I 10:05:00 understand correctly. 10:05:02 But is it accurate to say that 10:05:03
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7 could potentially be unusual; is that 10:05:47 7 MR. O'CONNOR: Object 8 correct? 10:05:49 8 THE WITNESS: No.  9 MR. O'CONNOR: Object to form. 10:05:49 9 QUESTIONS BY MR. KO:  10 THE WITNESS: Yes, but it's all 10:05:50 10 Q. Okay. You don't believe to what what is large. I 10:05:55 11 would be an effective SOM programment of the control of the c	ald be able 10:07:05 clinic is 10:07:08 atrolled 10:07:12 10:07:15 to form. 10:07:15 10:07:16 10:07:16 that 10:07:18 m, or you 10:07:18
Q. Okay. And other than that 10:05:29  3 general concept that in particular, the 10:05:31  4 size of an order at its most fundamental 10:05:34  5 level is important because an excessive order 10:05:37  6 or an order of that's that's large 10:05:42  7 could potentially be unusual; is that 10:05:49  8 correct? 10:05:49  9 MR. O'CONNOR: Object to form. 10:05:49  10 THE WITNESS: Yes, but it's all 10:05:50  11 relative to what what is large. I 10:05:55  12 can't define large. 10:05:58  13 QUESTIONS BY MR. KO: 10:05:59  14 Q. Sure. 10:05:59  15 But generally speaking, 10:06:00  2 Q. Okay. Would you agree of that an effective SOM program wood to identify whether a pharmacy or of the ordering excessive quantities of conditions and the ordering excessive quantities of conditions are defined as a pharmacy or of the ordering excessive quantities of conditions and the ordering excessive quantities of conditions and the ordering excessive quantities of conditions and the ordering excessive quantities of conditions are defined as a pharmacy or of the ordering excessive quantities of conditions and the ordering excessive quantities of conditions a	vith me 10:07:01 ald be able 10:07:05 clinic is 10:07:08 atrolled 10:07:12 10:07:15 to form. 10:07:15
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14 Q. Sure. 10:05:59 14 the question? 15 But generally speaking, 10:06:00 15 Q. Sure. 10	10.07.22
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16 shipping too many prescription opioids could 10:06:01 16 Would you agree with me to 177 protection by a real law still a second 10:06:03	
potentially be problematic, correct? 10:06:03   17 effective SOM program would be a many many or a compared with the many of t	
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the information, I'm sorry, to answer 10:06:08 21 MR. O'CONNOR: Same of	
that question completely. 10:06:09 22 THE WITNESS: So the co	•
23 QUESTIONS BY MR. KO: 10:06:10 23 of the SOM program that point	•
24 Q. Sure. 10:06:11 24 reason for further investigation.	
25 Another purpose of a SOM 10:06:11 25 they're not singular. So DEA to	
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1 program is to identify orders that deviate 10:06:14 1 that these things are to be consi	
2 from a normal pattern; would you agree with 10:06:18 2 during the course of our	10:08:00
3 me? 10:06:19 3 investigation, but no one factor	
4 A. Yes. 10:06:19 4 conclusively indicates divers	
5 Q. Okay. And it's important to 10:06:20 5 QUESTIONS BY MR. KO:	10:08:12
6 identify ordering patterns at a general 10:06:22 6 Q. Sure, I understand that, ar	
7 level; is that correct? 10:06:25 7 understand that there are several di	
8 A. Yes. 10:06:25 8 things that you may consider.	10:08:17
8 A. Yes. 10:06:25 8 things that you may consider. 9 Q. Okay. And another purpose of a 10:06:27 9 But would you agree with a	10:08:17 me 10:08:18
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8 A. Yes. 10:06:25 8 things that you may consider. 9 Q. Okay. And another purpose of a 10:06:27 9 But would you agree with a 10 SOM program is to identify orders of unusual 10:06:28 10 that one aspect of an effective SOM 11 frequency; is that fair to say? 10:06:32 11 would be to identify pharmacies or 12 A. Yes. Yes. 10:06:34 12 that order excessive amounts of contractions of the property of the	10:08:17 me 10:08:18 I program 10:08:19 clinics 10:08:24 ntrolled 10:08:26
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8 A. Yes. 10:06:25 9 Q. Okay. And another purpose of a 10:06:27 10 SOM program is to identify orders of unusual 10:06:28 11 frequency; is that fair to say? 10:06:32 12 A. Yes. Yes. 10:06:34 13 Q. And it's important to identify 10:06:35 14 the timing of orders; that would be fair to 10:06:37 15 say? 10:06:39  8 things that you may consider.  9 But would you agree with a would be to identify pharmacies or that order excessive amounts of consider.  9 But would be to identify pharmacies or that order excessive amounts of consider.  10 that one aspect of an effective SOM and it's important to identify 10:06:32 11 would be to identify pharmacies or that order excessive amounts of consider.  12 The WITNESS: So we do:	10:08:17 me 10:08:18 I program 10:08:19 clinics 10:08:24 atrolled 10:08:26 10:08:29 to form. 10:08:29 onot sell 10:08:29
8 A. Yes. 10:06:25 9 Q. Okay. And another purpose of a 10:06:27 10 SOM program is to identify orders of unusual 10:06:28 11 frequency; is that fair to say? 10:06:32 12 A. Yes. Yes. 10:06:34 13 Q. And it's important to identify 10:06:35 14 the timing of orders; that would be fair to 10:06:37 15 say? 10:06:39 18 things that you may consider.  9 But would you agree with to that one aspect of an effective SOM 11 would be to identify pharmacies or 12 that order excessive amounts of consider.  14 MR. O'CONNOR: Object 15 THE WITNESS: So we do 15 THE WITNESS: So we do 16 to pharmacies or clinics. We see	10:08:17 me 10:08:18 I program 10:08:19 clinics 10:08:24 ntrolled 10:08:26 10:08:29 to form. 10:08:29 onot sell 10:08:29 ell to 10:08:32
8 A. Yes. 10:06:25 9 Q. Okay. And another purpose of a 10:06:27 10 SOM program is to identify orders of unusual 10:06:28 11 frequency; is that fair to say? 10:06:32 12 A. Yes. Yes. 10:06:34 13 Q. And it's important to identify 10:06:35 14 the timing of orders; that would be fair to 10:06:37 15 say? 10:06:39 16 MR. O'CONNOR: Object to form. 10:06:39 17 THE WITNESS: Yes. 10:06:40 18 things that you may consider. 9 But would you agree with to that one aspect of an effective SOM that one aspect of an effective SOM that one aspect of an effective SOM 10:06:32 11 would be to identify pharmacies or that order excessive amounts of con 11 substances? 12 THE WITNESS: So we do 12 to pharmacies or clinics. We see 14 wholesalers and distributors.	10:08:17 me 10:08:18 I program 10:08:19 clinics 10:08:24 ntrolled 10:08:26 10:08:29 to form. 10:08:29 onot sell 10:08:32 10:08:36
8 A. Yes. 10:06:25 9 Q. Okay. And another purpose of a 10:06:27 10 SOM program is to identify orders of unusual 10:06:28 11 frequency; is that fair to say? 10:06:32 12 A. Yes. Yes. 10:06:34 13 Q. And it's important to identify 10:06:35 14 the timing of orders; that would be fair to 10:06:37 15 say? 10:06:39 16 MR. O'CONNOR: Object to form. 10:06:39 17 THE WITNESS: Yes. 10:06:40 18 QUESTIONS BY MR. KO: 10:06:41 18 QUESTIONS BY MR. KO: 10:06:41  8 things that you may consider. 9 But would you agree with a would be to identify and that order excessive amounts of consider. 10 that one aspect of an effective SOM that one aspect of an effective SOM aspect to the pharmacies or that order excessive amounts of consider. 10 SOM program is to identify orders of unusual 10:06:28 11 would be to identify pharmacies or that order excessive amounts of consider. 12 that one aspect of an effective SOM that one aspect of an effective SOM that one aspect of an effective SOM and the pharmacies or that order excessive amounts of consider. 12 that order excessive amounts of consider. 13 substances? 14 MR. O'CONNOR: Object to pharmacies or clinics. We see that order excessive amounts of consider. 15 that one aspect of an effective SOM that one aspect of an e	10:08:17 me 10:08:18 I program 10:08:19 clinics 10:08:24 ntrolled 10:08:26 10:08:29 to form. 10:08:29 onot sell 10:08:29 ell to 10:08:32 10:08:36 10:08:37
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8 A. Yes. 10:06:25 9 Q. Okay. And another purpose of a 10:06:27 10 SOM program is to identify orders of unusual 10:06:28 11 frequency; is that fair to say? 10:06:32 12 A. Yes. Yes. 10:06:34 13 Q. And it's important to identify 10:06:35 14 the timing of orders; that would be fair to 10:06:37 15 say? 10:06:39 16 MR. O'CONNOR: Object to form. 10:06:39 17 THE WITNESS: Yes. 10:06:40 18 QUESTIONS BY MR. KO: 10:06:41 19 Q. Okay. And would you agree with 10:06:41 20 me that one of or another central purpose 10:06:43  8 things that you may consider. 9 But would you agree with 10:06:27 10 that one aspect of an effective SOM to that one aspect of an effective SOM that one aspect of an effective SOM 10 that one aspect of an effective SOM 10 that one aspect of an effective SOM 11 would be to identify pharmacies or that order excessive amounts of con 12 substances? 14 the timing of orders; that would be fair to 10:06:35 15 THE WITNESS: So we do 15 to pharmacies or clinics. We see 15 to pharmacies or clinics. We see 16 to pharmacies or clinics. We see 17 wholesalers and distributors. 18 QUESTIONS BY MR. KO: 10:06:41 19 Q. I understand that. 20 But as as an entity that	10:08:17 me 10:08:18 I program 10:08:19 clinics 10:08:24 ntrolled 10:08:26 10:08:29 to form. 10:08:29 onot sell 10:08:32 10:08:36 10:08:37 10:08:38 10:08:39
8 A. Yes. 10:06:25 9 Q. Okay. And another purpose of a 10:06:27 10 SOM program is to identify orders of unusual 10:06:28 11 frequency; is that fair to say? 10:06:32 12 A. Yes. Yes. 10:06:34 13 Q. And it's important to identify 10:06:35 14 the timing of orders; that would be fair to 10:06:37 15 say? 10:06:39 16 MR. O'CONNOR: Object to form. 10:06:39 17 THE WITNESS: Yes. 10:06:40 18 QUESTIONS BY MR. KO: 10:06:41 19 Q. Okay. And would you agree with 10:06:41 20 me that one of or another central purpose 10:06:43 21 things that you may consider. 9 But would you agree with 10:06:28 10 that one aspect of an effective SON would be to identify pharmacies or that order excessive amounts of consubstances? 14 MR. O'CONNOR: Object 12 that order excessive amounts of consubstances? 15 THE WITNESS: So we do not oppositely to pharmacies or clinics. We see that one of or another central purpose 10:06:41 19 Q. Okay. And would you agree with 10:06:41 20 me that one of or another central purpose 10:06:43 21 sells to wholesalers, distributors, you sells to wholesalers, distributors, you sells to wholesalers, distributors, you	10:08:17 me 10:08:18 I program 10:08:19 clinics 10:08:24 ntrolled 10:08:26 10:08:29 to form. 10:08:29 ont sell 10:08:29 ell to 10:08:32 10:08:36 10:08:37 10:08:38 10:08:39 ont know 10:08:41
8 A. Yes. 10:06:25 9 Q. Okay. And another purpose of a 10:06:27 10 SOM program is to identify orders of unusual 10:06:28 11 frequency; is that fair to say? 10:06:32 12 A. Yes. Yes. 10:06:34 13 Q. And it's important to identify 10:06:35 14 the timing of orders; that would be fair to 10:06:37 15 say? 10:06:39 16 MR. O'CONNOR: Object to form. 10:06:39 17 THE WITNESS: Yes. 10:06:40 18 QUESTIONS BY MR. KO: 10:06:41 19 Q. Okay. And would you agree with 10:06:41 20 me that one of or another central purpose 10:06:43 21 of identifying suspicious orders is to avoid 10:06:50 22 that order excessive amounts of cord that one aspect of an effective SOM that one aspect of an effect	10:08:17 me 10:08:18 I program 10:08:19 clinics 10:08:24 ntrolled 10:08:26 10:08:29 to form. 10:08:29 ont sell 10:08:29 ell to 10:08:32 10:08:36 10:08:37 10:08:38 10:08:39 ont know 10:08:41
8 A. Yes. 10:06:25 9 Q. Okay. And another purpose of a 10:06:27 10 SOM program is to identify orders of unusual 10:06:28 11 frequency; is that fair to say? 10:06:32 12 A. Yes. Yes. 10:06:34 13 Q. And it's important to identify 10:06:35 14 the timing of orders; that would be fair to 10:06:37 15 say? 10:06:39 16 MR. O'CONNOR: Object to form. 10:06:39 17 THE WITNESS: Yes. 10:06:40 18 QUESTIONS BY MR. KO: 10:06:41 19 Q. Okay. And would you agree with 10:06:41 20 me that one of or another central purpose 10:06:43 21 things that you may consider.  9 But would you agree with 10:06:28 11 would be to identify pharmacies or that order excessive amounts of consider. 12 that order excessive amounts of consider. 13 substances? 14 MR. O'CONNOR: Object to pharmacies or clinics. We see that one of consider. 15 would be to identify pharmacies or 10:06:35 16 MR. O'CONNOR: Object of orm. 10:06:37 17 THE WITNESS: So we do not only the pharmacies or clinics. We see that one of consider. 18 QUESTIONS BY MR. KO: 10:06:40 19 Q. Okay. And would you agree with 10:06:41 20 But as as an entity that 21 sells to wholesalers, distributors, you sell that order excessive amounts of constant that the that order excessive amounts of constant that order excessive amounts of the that order excessive amounts of constant that order ex	10:08:17 me 10:08:18 I program 10:08:19 clinics 10:08:24 ntrolled 10:08:26 10:08:29 to form. 10:08:29 not sell 10:08:29 ell to 10:08:32 10:08:36 10:08:37 10:08:38 10:08:39 ou know 10:08:41 oing 10:08:44
8 A. Yes. 10:06:25 9 Q. Okay. And another purpose of a 10:06:27 10 SOM program is to identify orders of unusual 10:06:28 11 frequency; is that fair to say? 10:06:32 12 A. Yes. Yes. 10:06:34 13 Q. And it's important to identify 10:06:35 14 the timing of orders; that would be fair to 10:06:37 15 say? 10:06:39 16 MR. O'CONNOR: Object to form. 10:06:39 17 THE WITNESS: Yes. 10:06:40 18 QUESTIONS BY MR. KO: 10:06:41 19 Q. Okay. And would you agree with 10:06:41 20 me that one of or another central purpose 10:06:43 21 things that you may consider.  9 But would you agree with 10:06:28 10 that one aspect of an effective SOM that one aspect	10:08:17 me 10:08:18 I program 10:08:19 clinics 10:08:24 ntrolled 10:08:26 10:08:29 to form. 10:08:29 ont sell 10:08:32 10:08:36 10:08:37 10:08:38 10:08:39 ou know 10:08:41 oing 10:08:44 10:08:47

	Page 78		Page 80
1	necessarily providing them directly to the 10:08:50	1	8
2	consumers at that point, correct? 10:08:54	2	controlled substances? 10:10:36
3	A. Yes. Yes. 10:08:55	3	MR. O'CONNOR: Object to form. 10:10:36
4	Q. So eventually these 10:08:55	4	THE WITNESS: So, yes, that 10:10:38
5	distributors distribute these controlled 10:08:58	5	could be one component. 10:10:41
6	substances to, among other entities, 10:09:03	6	QUESTIONS BY MR. KO: 10:10:42
7	pharmacies and clinics; is that correct? 10:09:05	7	Q. Okay. Now, would you also 10:10:42
8	A. Yes. 10:09:07	8	agree with me that an effective SOM program 10:10:49
9	Q. Okay. So would you agree with 10:09:08	9	would be able to identify whether or not that 10:10:53
10	me that one component of a an effective 10:09:10	10	downstream pharmacy or clinic was ordering 10:10:56
11	suspicious order monitoring program is to 10:09:14	11	from multiple distributors? 10:10:58
12	identify whether or not these downstream 10:09:16	12	MR. O'CONNOR: Object to form. 10:10:59
13	pharmacies or clinics are ordering excessive 10:09:19	13	THE WITNESS: It could be one 10:11:00
14	quantities of controlled substances? 10:09:21	14	component, yes. 10:11:03
15	MR. O'CONNOR: Object to form. 10:09:22	15	QUESTIONS BY MR. KO: 10:11:04
16	THE WITNESS: We throughout 10:09:23	16	Q. Okay. And in fact, that was 10:11:04
17	time we've been asking we always 10:09:26	17	something that was important to Mallinckrodt 10:11:06
18	ask DEA for additional guidance 10:09:29	18	to try and determine at some point in the, I 10:11:08
19	because the regulations state "know 10:09:30	19	believe, the 2010 or 2011 time period, 10:11:15
20	your customer." 10:09:32	20	correct? 10:11:19
21	QUESTIONS BY MR. KO: 10:09:33	21	MR. O'CONNOR: Object to form. 10:11:19
22	Q. Right. 10:09:34	22	THE WITNESS: When we received 10:11:19
23	A. And we weren't aware of an 10:09:35	23	guidance from DEA that that was an 10:11:20
24	obligation, if you will, to monitor 10:09:41	24	appropriate thing to monitor, yes. 10:11:22
25	customers' customers or if the tools existed 10:09:43	25	
	Page 79		Page 81
1	to do so. 10:09:48	1	QUESTIONS BY MR. KO: 10:11:23
1 2	to do so. 10:09:48  Q. And we'll get to that in a 10:09:49	1 2	QUESTIONS BY MR. KO: 10:11:23 Q. Okay. So in other words, if a 10:11:23
2	Q. And we'll get to that in a 10:09:49	2	Q. Okay. So in other words, if a 10:11:23
2 3	Q. And we'll get to that in a 10:09:49 moment, but I just have a very specific 10:09:53	2 3	Q. Okay. So in other words, if a 10:11:23 downstream pharmacy or clinic was ordering 10:11:25
2 3 4	Q. And we'll get to that in a 10:09:49 moment, but I just have a very specific 10:09:53 question that I was hoping that you could 10:09:55	2 3 4	Q. Okay. So in other words, if a 10:11:23 downstream pharmacy or clinic was ordering 10:11:25 the same oxy 15 manufactured by Mallinckrodt 10:11:26
2 3 4 5	Q. And we'll get to that in a 10:09:49 moment, but I just have a very specific 10:09:53 question that I was hoping that you could 10:09:55 answer. 10:09:56	2 3 4 5	Q. Okay. So in other words, if a 10:11:23 downstream pharmacy or clinic was ordering 10:11:25 the same oxy 15 manufactured by Mallinckrodt 10:11:26 from five different distributors, it would be 10:11:30
2 3 4 5 6	Q. And we'll get to that in a 10:09:49 moment, but I just have a very specific 10:09:53 question that I was hoping that you could 10:09:55 answer. 10:09:56 Now, you agreed with me that 10:09:57	2 3 4 5 6	Q. Okay. So in other words, if a 10:11:23 downstream pharmacy or clinic was ordering 10:11:25 the same oxy 15 manufactured by Mallinckrodt 10:11:26 from five different distributors, it would be 10:11:30 important to know that, correct? 10:11:32
2 3 4 5 6 7	Q. And we'll get to that in a 10:09:49 moment, but I just have a very specific 10:09:53 question that I was hoping that you could 10:09:55 answer. 10:09:56 Now, you agreed with me that 10:09:57 distributors sell downstream to pharmacies 10:10:01	2 3 4 5 6 7	Q. Okay. So in other words, if a 10:11:23 downstream pharmacy or clinic was ordering 10:11:25 the same oxy 15 manufactured by Mallinckrodt 10:11:26 from five different distributors, it would be 10:11:30 important to know that, correct? 10:11:32 A. It could be one indicator 10:11:34
2 3 4 5 6 7 8	Q. And we'll get to that in a 10:09:49 moment, but I just have a very specific 10:09:53 question that I was hoping that you could 10:09:55 answer. 10:09:56  Now, you agreed with me that 10:09:57 distributors sell downstream to pharmacies 10:10:01 and clinics, correct? 10:10:03	2 3 4 5 6 7 8	Q. Okay. So in other words, if a 10:11:23 downstream pharmacy or clinic was ordering 10:11:25 the same oxy 15 manufactured by Mallinckrodt 10:11:26 from five different distributors, it would be 10:11:30 important to know that, correct? 10:11:32 A. It could be one indicator 10:11:34 Q. Right. 10:11:37
2 3 4 5 6 7 8	Q. And we'll get to that in a 10:09:49 moment, but I just have a very specific 10:09:53 question that I was hoping that you could 10:09:55 answer. 10:09:56  Now, you agreed with me that 10:09:57 distributors sell downstream to pharmacies 10:10:01 and clinics, correct? 10:10:03  A. That's correct. 10:10:04	2 3 4 5 6 7 8	Q. Okay. So in other words, if a 10:11:23 downstream pharmacy or clinic was ordering 10:11:25 the same oxy 15 manufactured by Mallinckrodt 10:11:26 from five different distributors, it would be 10:11:30 important to know that, correct? 10:11:32 A. It could be one indicator 10:11:34 Q. Right. 10:11:37 A precipitating further 10:11:37
2 3 4 5 6 7 8 9	Q. And we'll get to that in a 10:09:49 moment, but I just have a very specific 10:09:53 question that I was hoping that you could 10:09:55 answer. 10:09:56  Now, you agreed with me that 10:09:57 distributors sell downstream to pharmacies 10:10:01 and clinics, correct? 10:10:03  A. That's correct. 10:10:04 Q. And at some point and I 10:10:05	2 3 4 5 6 7 8 9	Q. Okay. So in other words, if a 10:11:23 downstream pharmacy or clinic was ordering 10:11:25 the same oxy 15 manufactured by Mallinckrodt 10:11:26 from five different distributors, it would be 10:11:30 important to know that, correct? 10:11:32 A. It could be one indicator 10:11:34 Q. Right. 10:11:37 A precipitating further 10:11:37 review. 10:11:40
2 3 4 5 6 7 8 9 10	Q. And we'll get to that in a 10:09:49 moment, but I just have a very specific 10:09:53 question that I was hoping that you could 10:09:55 answer. 10:09:56 Now, you agreed with me that 10:09:57 distributors sell downstream to pharmacies 10:10:01 and clinics, correct? 10:10:03 A. That's correct. 10:10:04 Q. And at some point and I 10:10:05 understand your testimony that you became 10:10:06	2 3 4 5 6 7 8 9 10 11	Q. Okay. So in other words, if a 10:11:23 downstream pharmacy or clinic was ordering 10:11:25 the same oxy 15 manufactured by Mallinckrodt 10:11:26 from five different distributors, it would be 10:11:30 important to know that, correct? 10:11:32 A. It could be one indicator 10:11:34 Q. Right. 10:11:37 A precipitating further 10:11:37 review. 10:11:40 Q. And you would agree with me 10:11:40
2 3 4 5 6 7 8 9 10 11	Q. And we'll get to that in a 10:09:49 moment, but I just have a very specific 10:09:53 question that I was hoping that you could 10:09:55 answer. 10:09:56  Now, you agreed with me that 10:09:57 distributors sell downstream to pharmacies 10:10:01 and clinics, correct? 10:10:03  A. That's correct. 10:10:04 Q. And at some point and I 10:10:05 understand your testimony that you became 10:10:06 aware that you had to, in your words, know 10:10:08	2 3 4 5 6 7 8 9 10 11	Q. Okay. So in other words, if a 10:11:23 downstream pharmacy or clinic was ordering 10:11:25 the same oxy 15 manufactured by Mallinckrodt 10:11:26 from five different distributors, it would be 10:11:30 important to know that, correct? 10:11:32 A. It could be one indicator 10:11:34 Q. Right. 10:11:37 A precipitating further 10:11:37 review. 10:11:40 Q. And you would agree with me 10:11:40 that an effective SOM program would be able 10:11:41
2 3 4 5 6 7 8 9 10 11 12 13	Q. And we'll get to that in a 10:09:49 moment, but I just have a very specific 10:09:53 question that I was hoping that you could 10:09:55 answer. 10:09:56  Now, you agreed with me that 10:09:57 distributors sell downstream to pharmacies 10:10:01 and clinics, correct? 10:10:03  A. That's correct. 10:10:04 Q. And at some point and I 10:10:05 understand your testimony that you became 10:10:06 aware that you had to, in your words, know 10:10:08 your customer, correct? 10:10:10	2 3 4 5 6 7 8 9 10 11 12 13	Q. Okay. So in other words, if a 10:11:23 downstream pharmacy or clinic was ordering 10:11:25 the same oxy 15 manufactured by Mallinckrodt 10:11:26 from five different distributors, it would be 10:11:30 important to know that, correct? 10:11:32 A. It could be one indicator 10:11:34 Q. Right. 10:11:37 A precipitating further 10:11:37 review. 10:11:40 Q. And you would agree with me 10:11:40 that an effective SOM program would be able 10:11:41 to determine or identify whether or not that 10:11:44
2 3 4 5 6 7 8 9 10 11 12 13	Q. And we'll get to that in a 10:09:49 moment, but I just have a very specific 10:09:53 question that I was hoping that you could 10:09:55 answer. 10:09:56 Now, you agreed with me that 10:09:57 distributors sell downstream to pharmacies 10:10:01 and clinics, correct? 10:10:03 A. That's correct. 10:10:04 Q. And at some point and I 10:10:05 understand your testimony that you became 10:10:06 aware that you had to, in your words, know 10:10:08 your customer, correct? 10:10:10 A. Know your customer is part of 10:10:11	2 3 4 5 6 7 8 9 10 11 12 13 14	Q. Okay. So in other words, if a 10:11:23 downstream pharmacy or clinic was ordering 10:11:25 the same oxy 15 manufactured by Mallinckrodt 10:11:26 from five different distributors, it would be 10:11:30 important to know that, correct? 10:11:32 A. It could be one indicator 10:11:34 Q. Right. 10:11:37 A precipitating further 10:11:37 review. 10:11:40 Q. And you would agree with me 10:11:40 that an effective SOM program would be able 10:11:41 to determine or identify whether or not that 10:11:44 downstream pharmacy or clinic was ordering 10:11:47
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q. And we'll get to that in a 10:09:49 moment, but I just have a very specific 10:09:53 question that I was hoping that you could 10:09:55 answer. 10:09:56  Now, you agreed with me that 10:09:57 distributors sell downstream to pharmacies 10:10:01 and clinics, correct? 10:10:03  A. That's correct. 10:10:04 Q. And at some point and I 10:10:05 understand your testimony that you became 10:10:06 aware that you had to, in your words, know 10:10:08 your customer, correct? 10:10:10  A. Know your customer is part of 10:10:11 the regulations. 10:10:13	2 3 4 5 6 7 8 9 10 11 12 13 14	Q. Okay. So in other words, if a 10:11:23 downstream pharmacy or clinic was ordering 10:11:25 the same oxy 15 manufactured by Mallinckrodt 10:11:26 from five different distributors, it would be 10:11:30 important to know that, correct? 10:11:32 A. It could be one indicator 10:11:34 Q. Right. 10:11:37 A precipitating further 10:11:37 review. 10:11:40 Q. And you would agree with me 10:11:40 that an effective SOM program would be able 10:11:41 to determine or identify whether or not that 10:11:44 downstream pharmacy or clinic was ordering 10:11:47 from multiple distributors, correct? 10:11:49
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q. And we'll get to that in a 10:09:49 moment, but I just have a very specific 10:09:53 question that I was hoping that you could 10:09:55 answer. 10:09:56 Now, you agreed with me that 10:09:57 distributors sell downstream to pharmacies 10:10:01 and clinics, correct? 10:10:03 A. That's correct. 10:10:04 Q. And at some point and I 10:10:05 understand your testimony that you became 10:10:06 aware that you had to, in your words, know 10:10:08 your customer, correct? 10:10:10 A. Know your customer is part of 10:10:11 the regulations. 10:10:13 Q. Right. 10:10:14 And then also you talked about 10:10:14	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Okay. So in other words, if a 10:11:23 downstream pharmacy or clinic was ordering 10:11:25 the same oxy 15 manufactured by Mallinckrodt 10:11:26 from five different distributors, it would be 10:11:30 important to know that, correct? 10:11:32 A. It could be one indicator 10:11:34 Q. Right. 10:11:37 A precipitating further 10:11:37 review. 10:11:40 Q. And you would agree with me 10:11:40 that an effective SOM program would be able 10:11:41 to determine or identify whether or not that 10:11:44 downstream pharmacy or clinic was ordering 10:11:47 from multiple distributors, correct? 10:11:49 MR. O'CONNOR: Object to form. 10:11:51 THE WITNESS: Yes. That's one 10:11:52
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. And we'll get to that in a 10:09:49 moment, but I just have a very specific 10:09:53 question that I was hoping that you could 10:09:55 answer. 10:09:56  Now, you agreed with me that 10:09:57 distributors sell downstream to pharmacies 10:10:01 and clinics, correct? 10:10:03  A. That's correct. 10:10:04 Q. And at some point and I 10:10:05 understand your testimony that you became 10:10:06 aware that you had to, in your words, know 10:10:08 your customer, correct? 10:10:10  A. Know your customer is part of 10:10:11 the regulations. 10:10:13 Q. Right. 10:10:14 And then also you talked about 10:10:16	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q. Okay. So in other words, if a 10:11:23 downstream pharmacy or clinic was ordering 10:11:25 the same oxy 15 manufactured by Mallinckrodt 10:11:26 from five different distributors, it would be 10:11:30 important to know that, correct? 10:11:32 A. It could be one indicator 10:11:34 Q. Right. 10:11:37 A precipitating further 10:11:37 review. 10:11:40 Q. And you would agree with me 10:11:40 that an effective SOM program would be able 10:11:41 to determine or identify whether or not that 10:11:44 downstream pharmacy or clinic was ordering 10:11:47 from multiple distributors, correct? 10:11:49 MR. O'CONNOR: Object to form. 10:11:51 THE WITNESS: Yes. That's one 10:11:52 component of many, yes. 10:11:54
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. And we'll get to that in a 10:09:49 moment, but I just have a very specific 10:09:53 question that I was hoping that you could 10:09:55 answer. 10:09:56 Now, you agreed with me that 10:09:57 distributors sell downstream to pharmacies 10:10:01 and clinics, correct? 10:10:03 A. That's correct. 10:10:04 Q. And at some point and I 10:10:05 understand your testimony that you became 10:10:06 aware that you had to, in your words, know 10:10:08 your customer, correct? 10:10:10 A. Know your customer is part of 10:10:11 the regulations. 10:10:13 Q. Right. 10:10:14 And then also you talked about 10:10:14 knowing your customer's customer as well, 10:10:16 correct? 10:10:19 A. Yes. 10:10:19 Q. And putting aside when you 10:10:19	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Okay. So in other words, if a 10:11:23 downstream pharmacy or clinic was ordering 10:11:25 the same oxy 15 manufactured by Mallinckrodt 10:11:26 from five different distributors, it would be 10:11:30 important to know that, correct? 10:11:32 A. It could be one indicator 10:11:34 Q. Right. 10:11:37 A precipitating further 10:11:37 review. 10:11:40 Q. And you would agree with me 10:11:40 that an effective SOM program would be able 10:11:41 to determine or identify whether or not that 10:11:44 downstream pharmacy or clinic was ordering 10:11:47 from multiple distributors, correct? 10:11:49 MR. O'CONNOR: Object to form. 10:11:51 THE WITNESS: Yes. That's one 10:11:52 component of many, yes. 10:11:55 Q. Now, some of these factors we 10:12:07 were just discussing, is it fair to say that 10:12:09
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. And we'll get to that in a 10:09:49 moment, but I just have a very specific 10:09:53 question that I was hoping that you could 10:09:55 answer. 10:09:56  Now, you agreed with me that 10:09:57 distributors sell downstream to pharmacies 10:10:01 and clinics, correct? 10:10:03  A. That's correct. 10:10:04 Q. And at some point and I 10:10:05 understand your testimony that you became 10:10:06 aware that you had to, in your words, know 10:10:08 your customer, correct? 10:10:10  A. Know your customer is part of 10:10:11 the regulations. 10:10:13 Q. Right. 10:10:14 And then also you talked about 10:10:14 knowing your customer's customer as well, 10:10:16 correct? 10:10:19 A. Yes. 10:10:19 Q. And putting aside when you 10:10:22	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Okay. So in other words, if a 10:11:23 downstream pharmacy or clinic was ordering 10:11:25 the same oxy 15 manufactured by Mallinckrodt 10:11:26 from five different distributors, it would be 10:11:30 important to know that, correct? 10:11:32 A. It could be one indicator 10:11:34 Q. Right. 10:11:37 A precipitating further 10:11:37 review. 10:11:40 Q. And you would agree with me 10:11:40 that an effective SOM program would be able 10:11:41 to determine or identify whether or not that 10:11:44 downstream pharmacy or clinic was ordering 10:11:47 from multiple distributors, correct? 10:11:49 MR. O'CONNOR: Object to form. 10:11:51 THE WITNESS: Yes. That's one 10:11:52 component of many, yes. 10:11:54 QUESTIONS BY MR. KO: 10:11:55 Q. Now, some of these factors we 10:12:07 were just discussing, is it fair to say that 10:12:09 you acquired this knowledge of strike 10:12:14
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. And we'll get to that in a 10:09:49 moment, but I just have a very specific 10:09:53 question that I was hoping that you could 10:09:55 answer. 10:09:56  Now, you agreed with me that 10:09:57 distributors sell downstream to pharmacies 10:10:01 and clinics, correct? 10:10:03  A. That's correct. 10:10:04 Q. And at some point and I 10:10:05 understand your testimony that you became 10:10:06 aware that you had to, in your words, know 10:10:08 your customer, correct? 10:10:10  A. Know your customer is part of 10:10:11 the regulations. 10:10:13 Q. Right. 10:10:14 And then also you talked about 10:10:14 knowing your customer's customer as well, 10:10:16 correct? 10:10:19 A. Yes. 10:10:19 Q. And putting aside when you 10:10:19 became aware of that, I'm simply asking you: 10:10:22 Would you agree with me that one component of 10:10:24	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Okay. So in other words, if a 10:11:23 downstream pharmacy or clinic was ordering 10:11:25 the same oxy 15 manufactured by Mallinckrodt 10:11:26 from five different distributors, it would be 10:11:30 important to know that, correct? 10:11:32 A. It could be one indicator 10:11:34 Q. Right. 10:11:37 A precipitating further 10:11:37 review. 10:11:40 Q. And you would agree with me 10:11:40 that an effective SOM program would be able 10:11:41 to determine or identify whether or not that 10:11:44 downstream pharmacy or clinic was ordering 10:11:47 from multiple distributors, correct? 10:11:49 MR. O'CONNOR: Object to form. 10:11:51 THE WITNESS: Yes. That's one 10:11:52 component of many, yes. 10:11:54 QUESTIONS BY MR. KO: 10:11:55 Q. Now, some of these factors we 10:12:07 were just discussing, is it fair to say that 10:12:09 you acquired this knowledge of strike 10:12:14 that. 10:12:19

	5 1		•
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1	compliance where you became aware that 10:12:30	1	
2	relying on a simple algorithm or numerical 10:12:38	2	that you were describing before? 10:14:26
3	formulation alone was insufficient for 10:12:41	3	A. Yes. 10:14:28
4	purposes of complying with your duties under 10:12:43	4	Q. And turning to that algorithm, 10:14:28
5	the CSA? 10:12:45	5	what was your understanding of what that 10:14:31
6	MR. O'CONNOR: Object to form. 10:12:45	6	algorithm consisted of? 10:14:34
7	THE WITNESS: Yes. 10:12:46	7	A. I don't know the specific 10:14:36
8	QUESTIONS BY MR. KO: 10:12:46	8	multiplier, but it measured each customer 10:14:39
9	Q. Okay. And approximately when 10:12:46	9	against their previous order history. 10:14:43
10	was that? 10:12:48	10	Q. Okay. And when you say a 10:14:48
11	A. It was a guidance letter from 10:12:51	11	"multiplier," what do you mean? 10:14:54
12	DEA. 10:12:54	12	A. There was a formula that 10:14:55
13	Q. Okay. 10:12:54	13	indicated a cause for additional 10:14:59
14	A. And it was 2006 or 2007. 10:12:54	14	investigation would be if that order pattern 10:15:02
15	Q. Okay. So you would agree with 10:12:59	15	exceeded a certain formula, such 1.5 as a 10:15:07
16	me then that an ineffective SOM program would 10:13:00	16	multiplier. 10:15:10
17	be one that just simply relies on numerical 10:13:07	17	Q. And a 1.5 multiplier relative 10:15:11
18	formulas to try and understand orders that 10:13:11	18	to what? 10:15:14
19	are suspicious; is that fair to say? 10:13:14	19	A. That customer's previous order 10:15:15
20	MR. O'CONNOR: Object to form. 10:13:17	20	pattern. 10:15:18
21	THE WITNESS: That's the 10:13:17	21	Q. Okay. And I have seen some 10:15:18
22	guidance that yes, from DEA. 10:13:18	22	references in the documents to a previous 10:15:20
23	QUESTIONS BY MR. KO: 10:13:19	23	order pattern consisting of anywhere from 7 10:15:22
24	Q. Okay. Well, regardless of the 10:13:19	24	to 18 months. 10:15:26
25	guidance that you received, I'm just simply 10:13:21	25	Does that comport with your 10:15:27
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1	asking you today, as you sit here in your 10:13:22	1	general understanding? 10:15:30
2	position as someone that is most 10:13:25	2	MR. O'CONNOR: Object to form. 10:15:31
3	knowledgeable about Mallinckrodt's SOM 10:13:28	3	THE WITNESS: I don't know. I 10:15:31
4	program: Would you agree with me that an 10:13:31	4	know about the 18 months; I don't know 10:15:33
5	ineffective SOM program would be one that 10:13:34	5	about the seven. 10:15:34
6	simply relies on numerical formulas to 10:13:38	6	QUESTIONS BY MR. KO: 10:15:37
7	identify suspicious orders? 10:13:40	7	Q. Okay. But generally speaking, 10:15:37
8	MR. O'CONNOR: Object to form. 10:13:41	8	what you mean when you say "multiplier" and 10:15:41
9	THE WITNESS: Yes. 10:13:42	9	when you referenced 1.5, are you saying that 10:15:42
10	QUESTIONS BY MR. KO: 10:13:42	10	the algorithm in place before 2003 was 10:15:44
11	Q. Okay. Now, you talked a moment 10:13:49	11	utilization of some multiplier relative to 10:15:50
12	ago about how there was always as far as 10:13:51	12	the previous ordering history of a 10:15:52
13	you know, there was always an SOM program at 10:13:54	13	Mallinckrodt customer? Is that accurate? 10:15:55
14	Mallinckrodt as far as as long as you 10:13:57	14	A. Yes. Yes. 10:15:57
15	could recall. 10:14:01	15	Q. Okay. And the customers at the 10:15:57
16	A. Yes. 10:14:01	16	time, of course, are wholesale distributors, 10:15:59
17	Q. Now, from my position, looking 10:14:01	17	right? 10:16:01
18	at the documents, the first reference I see 10:14:05	18	A. I can't we only sold to 10:16:02
19	to an SOM program existing at Mallinckrodt is 10:14:07	19	other manufacturers from the St. Louis plant 10:16:08
20	from 2003. 10:14:11	20	manufacturing until we acquired our Hobart, 10:16:12
21	Is it your testimony that an 10:14:13	21	New York, facility, and I always forget what 10:16:16
22	SOM program existed prior to that? 10:14:15	22	year that was. I'm sorry. 10:16:18
23	A. Yes. 10:14:16	23	Q. Okay. So prior to was that 10:16:19
24	Q. Okay. And the program prior to 10:14:17	24	generally 2004, 2005; do you know? 10:16:21
25	2003 consisted of, in your testimony, of both 10:14:21	25	A. I can't remember the year, I'm 10:16:24
	50.0.0.00 0., jour countonj, 01 00ti 10.14.21		1 Tour comomoci die your, illi 10.10.27
		_	

		_	
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1	sorry. 10:16:25	1	a SOM program for anything other than the 10:18:11
2	Q. Okay. That's all right. 10:16:25	2	bulk side of the business; is that accurate? 10:18:14
3	That's helpful. 10:16:26	3	MR. O'CONNOR: Object to form. 10:18:16
4	So before acquiring the Hobart 10:16:27	4	THE WITNESS: Yes. 10:18:17
5	facility, Mallinckrodt was only distributing 10:16:30	5	QUESTIONS BY MR. KO: 10:18:19
6	to other manufacturers? 10:16:32	6	Q. Okay. 10:18:19
7	A. Yes, and some researchers, yes. 10:16:33	7	MR. O'CONNOR: Counsel, we've 10:18:30
8	Q. Okay. 10:16:37	8	been going a little more than an hour. 10:18:31
9	A. But not wholesalers, 10:16:37	9	Should we take a break? 10:18:35
10	distributors. 10:16:39	10	MR. KO: Sure. 10:18:36
11	Q. And these other manufacturers 10:16:39	11	VIDEOGRAPHER: We are going off 10:18:36
12	included entities like Purdue? 10:16:42	12	the record at 10:18 a.m. 10:18:38
13	A. I don't know if Purdue was a 10:16:44	13	(Off the record at 10:18 a.m.) 10:18:39
14	customer, but they were dosage pharm 10:16:45	14	VIDEOGRAPHER: We are back on 10:35:34
15	manufacturers who chose to buy our bulk 10:16:48	15	the record at 10:35 a.m. 10:35:43
16	narcotics. 10:16:51	16	QUESTIONS BY MR. KO: 10:35:44
17	Q. Right. Okay. 10:16:52	17	Q. Welcome back from the break, 10:35:46
18	So then thank you for 10:16:53	18	Ms. Harper. 10:35:49
19	bringing up the bulk narcotics. 10:16:55	19	A. Thank you. 10:35:49
20	This order excuse me. This 10:16:57	20	Q. Now, at some point in time when 10:35:50
21	SOM program that you're describing, was there 10:17:03	21	you were involved in the controlled substance 10:35:52
22	an SOM program that existed both with respect 10:17:05	22	compliance group, did you become aware of 10:35:54
23	to Mallinckrodt's bulk business and its 10:17:08	23	diversion issues in the state of Florida in 10:35:58
24	dosage business at the time you became 10:17:14	24	particular? 10:36:01
25	involved in the DEA compliance group? 10:17:17	25	MR. O'CONNOR: Object to form. 10:36:02
	Page 87		Page 89
1	_	1	_
1 2	A. It always existed for the bulk 10:17:19	1 2	THE WITNESS: Yes. 10:36:02
	A. It always existed for the bulk 10:17:19 business, and it existed when we bought the 10:17:24		THE WITNESS: Yes. 10:36:02 QUESTIONS BY MR. KO: 10:36:03
2	A. It always existed for the bulk 10:17:19 business, and it existed when we bought the 10:17:24 Hobart facility. But I'm sorry, I can't 10:17:26	2	THE WITNESS: Yes. 10:36:02  QUESTIONS BY MR. KO: 10:36:03  Q. Okay. And approximately when 10:36:03
2 3 4	A. It always existed for the bulk 10:17:19 business, and it existed when we bought the 10:17:24 Hobart facility. But I'm sorry, I can't 10:17:26 remember what year that was relative to when 10:17:29	2 3	THE WITNESS: Yes. 10:36:02  QUESTIONS BY MR. KO: 10:36:03  Q. Okay. And approximately when 10:36:03  was that? 10:36:04
2 3 4 5	A. It always existed for the bulk 10:17:19 business, and it existed when we bought the 10:17:24 Hobart facility. But I'm sorry, I can't 10:17:26 remember what year that was relative to when 10:17:29 I was in the DEA compliance group, but I 10:17:31	2 3 4 5	THE WITNESS: Yes. 10:36:02  QUESTIONS BY MR. KO: 10:36:03  Q. Okay. And approximately when 10:36:03  was that? 10:36:04  A. I don't know the exact year. 10:36:04
2 3 4	A. It always existed for the bulk 10:17:19 business, and it existed when we bought the 10:17:24 Hobart facility. But I'm sorry, I can't 10:17:26 remember what year that was relative to when 10:17:29 I was in the DEA compliance group, but I 10:17:31 believe it was during my time in the DEA 10:17:34	2 3 4	THE WITNESS: Yes. 10:36:02  QUESTIONS BY MR. KO: 10:36:03  Q. Okay. And approximately when 10:36:03  was that? 10:36:04  A. I don't know the exact year. 10:36:04  I'm sorry. 10:36:10
2 3 4 5 6 7	A. It always existed for the bulk 10:17:19 business, and it existed when we bought the 10:17:24 Hobart facility. But I'm sorry, I can't 10:17:26 remember what year that was relative to when 10:17:29 I was in the DEA compliance group, but I 10:17:31 believe it was during my time in the DEA 10:17:34 compliance group, yes. 10:17:37	2 3 4 5 6 7	THE WITNESS: Yes. 10:36:02  QUESTIONS BY MR. KO: 10:36:03  Q. Okay. And approximately when 10:36:03  was that? 10:36:04  A. I don't know the exact year. 10:36:04  I'm sorry. 10:36:10  Q. Okay. And were you aware of 10:36:10
2 3 4 5 6 7 8	A. It always existed for the bulk 10:17:19 business, and it existed when we bought the 10:17:24 Hobart facility. But I'm sorry, I can't 10:17:26 remember what year that was relative to when 10:17:29 I was in the DEA compliance group, but I 10:17:31 believe it was during my time in the DEA 10:17:34 compliance group, yes. 10:17:37 Q. Okay. And then I just want to 10:17:38	2 3 4 5 6 7 8	THE WITNESS: Yes. 10:36:02  QUESTIONS BY MR. KO: 10:36:03  Q. Okay. And approximately when 10:36:03  was that? 10:36:04  A. I don't know the exact year. 10:36:04  I'm sorry. 10:36:10  Q. Okay. And were you aware of 10:36:10  the problems that existed in Florida through, 10:36:13
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2 3 4 5 6 7 8 9 10 11 12 13 14	A. It always existed for the bulk 10:17:19 business, and it existed when we bought the 10:17:24 Hobart facility. But I'm sorry, I can't 10:17:26 remember what year that was relative to when 10:17:29 I was in the DEA compliance group, but I 10:17:31 believe it was during my time in the DEA 10:17:34 compliance group, yes. 10:17:37 Q. Okay. And then I just want to 10:17:38 make sure the record is clear because we're 10:17:39 talking about the bulk business. But when 10:17:41 did you became {sic} aware of an algorithm or 10:17:43 a suspicious order monitoring program that 10:17:45 applied to the dosage side of Mallinckrodt's 10:17:49 business? 10:17:55	2 3 4 5 6 7 8 9 10 11 12 13 14	THE WITNESS: Yes. 10:36:02  QUESTIONS BY MR. KO: 10:36:03  Q. Okay. And approximately when 10:36:03  was that? 10:36:04  A. I don't know the exact year. 10:36:04  I'm sorry. 10:36:10  Q. Okay. And were you aware of 10:36:10  the problems that existed in Florida through, 10:36:13  among other things, communications with the 10:36:15  DEA? 10:36:17  MR. O'CONNOR: Object to form. 10:36:18  THE WITNESS: Yes. 10:36:18  QUESTIONS BY MR. KO: 10:36:21
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. It always existed for the bulk 10:17:19 business, and it existed when we bought the 10:17:24 Hobart facility. But I'm sorry, I can't 10:17:26 remember what year that was relative to when 10:17:29 I was in the DEA compliance group, but I 10:17:31 believe it was during my time in the DEA 10:17:34 compliance group, yes. 10:17:37 Q. Okay. And then I just want to 10:17:38 make sure the record is clear because we're 10:17:39 talking about the bulk business. But when 10:17:41 did you became {sic} aware of an algorithm or 10:17:43 a suspicious order monitoring program that 10:17:45 applied to the dosage side of Mallinckrodt's 10:17:49 business? 10:17:55  MR. O'CONNOR: Object to form. 10:17:55 THE WITNESS: When we began 10:17:55 participating in the dosage generic 10:17:58	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	THE WITNESS: Yes. 10:36:02  QUESTIONS BY MR. KO: 10:36:03  Q. Okay. And approximately when 10:36:03  was that? 10:36:04  A. I don't know the exact year. 10:36:04  I'm sorry. 10:36:10  Q. Okay. And were you aware of 10:36:10  the problems that existed in Florida through, 10:36:13  among other things, communications with the 10:36:15  DEA? 10:36:17  MR. O'CONNOR: Object to form. 10:36:18  THE WITNESS: Yes. 10:36:18  QUESTIONS BY MR. KO: 10:36:21  that the DEA was focused on the distribution 10:36:24  of Mallinckrodt oxy oxycodone 10:36:28  15 milligrams and oxycodone 30 milligrams? 10:36:32
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. It always existed for the bulk 10:17:19 business, and it existed when we bought the 10:17:24 Hobart facility. But I'm sorry, I can't 10:17:26 remember what year that was relative to when 10:17:29 I was in the DEA compliance group, but I 10:17:31 believe it was during my time in the DEA 10:17:34 compliance group, yes. 10:17:37 Q. Okay. And then I just want to 10:17:38 make sure the record is clear because we're 10:17:39 talking about the bulk business. But when 10:17:41 did you became {sic} aware of an algorithm or 10:17:43 a suspicious order monitoring program that applied to the dosage side of Mallinckrodt's 10:17:49 business? 10:17:55  MR. O'CONNOR: Object to form. 10:17:55 THE WITNESS: When we began 10:17:55 participating in the dosage generic 10:17:58 business. 10:18:00 QUESTIONS BY MR. KO: 10:18:00 Q. And that was after you acquired 10:18:01 the Hobart facility? 10:18:02	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	THE WITNESS: Yes. 10:36:02  QUESTIONS BY MR. KO: 10:36:03  Q. Okay. And approximately when 10:36:03  was that? 10:36:04  A. I don't know the exact year. 10:36:04  I'm sorry. 10:36:10  Q. Okay. And were you aware of 10:36:10  the problems that existed in Florida through, 10:36:13  among other things, communications with the 10:36:15  DEA? 10:36:17  MR. O'CONNOR: Object to form. 10:36:18  THE WITNESS: Yes. 10:36:18  QUESTIONS BY MR. KO: 10:36:21  that the DEA was focused on the distribution 10:36:24  of Mallinckrodt oxy oxycodone 10:36:28  15 milligrams and oxycodone 30 milligrams? 10:36:35  THE WITNESS: Yes. 10:36:36  QUESTIONS BY MR. KO: 10:36:36
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1	Page 90		Page 92
1	in time when you were involved with the 10:36:52	1	THE WITNESS: Yes. 10:38:30
2	controlled substance compliance group that 10:36:53	2	QUESTIONS BY MR. KO: 10:38:30
3	Mallinckrodt was manufacturing a substantial 10:36:57	3	Q. And the Oxy Express is also 10:38:30
4	amount of oxy 15s and 30s that were ending up 10:36:59	4	shorthand for the migration of pills from 10:38:32
5	in Florida; is that accurate? 10:37:03	5	Florida up north through the I-75 corridor; 10:38:38
6	MR. O'CONNOR: Objection to 10:37:05	6	is that fair to say? 10:38:42
7	form. 10:37:06	7	A. I'm not certain of the exact 10:38:42
8	THE WITNESS: So I don't know 10:37:06	8	road, but, yes, yes, in general. 10:38:44
9	our market share over time, and 10:37:07	9	Q. Okay. But generally speaking, 10:38:45
10	substantial is I don't have enough 10:37:08	10	you agree with me that the Oxy Express refers 10:38:47
11	information relative to other 10:37:10	11	to the migration of pills outside of the 10:38:50
12	suppliers to answer that question. 10:37:11	12	state of Florida? 10:38:51
13	I'm sorry. 10:37:13	13	A. Yes. 10:38:52
14	QUESTIONS BY MR. KO: 10:37:13	14	Q. Okay. And these pill migrated 10:38:52
15	Q. Sure. 10:37:13	15	to other states, including, for example, 10:38:55
16	But you knew that you became 10:37:13	16	Ohio; is that correct? 10:38:58
17	aware at some point that Mallinckrodt was 10:37:16	17	MR. O'CONNOR: Objection to 10:38:59
18	sending hundreds of millions of pills to the 10:37:19	18	form. 10:38:59
19	state of Florida, and in particular oxy 15s 10:37:22	19	THE WITNESS: Yes. 10:38:59
20	and oxy 30s; is that fair to say? 10:37:25	20	QUESTIONS BY MR. KO: 10:39:00
21	A. So we sell to wholesalers and 10:37:28	21	Q. Okay. Have you ever heard the 10:39:01
22	distributors who subsequently sell to 10:37:31	22	term "blue highway"? 10:39:04
23	downstream registrants. Some of those are in 10:37:34	23	A. No. 10:39:06
24	Florida, yes, but I believe we only have one 10:37:36	24	Q. Okay. You understood that 10:39:07
25	distributor actually located within the state 10:37:38	25	Mallinckrodt oxy 15s and 30s were blue, 10:39:09
	Page 91		Page 93
1	of Florida. 10:37:40	1	correct? 10:39:13
2	Q. Yeah. 10:37:40	2	A. Oh, yes. Yes. 10:39:13
3	And setting aside who you 10:37:41	3	Q. Okay. And you understood that 10:39:14
4	directly sold to, at some point in time you 10:37:44	4	a distinct feature of these oxy 15s and 30s 10:39:15
5	became acutely aware of the amount of oxy 15s 10:37:47	5	and were was the fact that they were 10:39:20
6	and 30s that were ending up in Florida, 10:37:51	6	blue, and they were one of the only 10:39:22
7	regardless of who you initially sold them to; 10:37:55	7	prescription opioids on the market that were 10:39:24
8	is that fair to say? 10:37:58	8	that color. 10:39:25
9	A. Yes. 10:37:58	9	MR. O'CONNOR: Objection to 10:39:26
10	Q. Okay. And you also became 10:37:59	10	form. 10:39:27
		1	
11	aware that Mallinckrodt-manufactured generic 10:38:03	11	QUESTIONS BY MR. KO: 10:39:27
11 12	aware that Mallinckrodt-manufactured generic 10:38:03 opioids, including oxy 15s and 30s, were 10:38:07	11	
			QUESTIONS BY MR. KO: 10:39:27
12	opioids, including oxy 15s and 30s, were 10:38:07	12	QUESTIONS BY MR. KO: 10:39:27 Q. Do you understand that to be 10:39:28
12 13	opioids, including oxy 15s and 30s, were 10:38:07 being widely abused and diverted in Florida; 10:38:10	12 13	QUESTIONS BY MR. KO: 10:39:27 Q. Do you understand that to be 10:39:28 the case? 10:39:29
12 13 14	opioids, including oxy 15s and 30s, were 10:38:07 being widely abused and diverted in Florida; 10:38:10 is that fair to say? 10:38:16	12 13 14	QUESTIONS BY MR. KO: 10:39:27  Q. Do you understand that to be 10:39:28 the case? 10:39:29  A. So I know that oxy 30s are 10:39:29
12 13 14 15	opioids, including oxy 15s and 30s, were 10:38:07 being widely abused and diverted in Florida; 10:38:10 is that fair to say? 10:38:16 MR. O'CONNOR: Objection to 10:38:16	12 13 14 15	QUESTIONS BY MR. KO: 10:39:27  Q. Do you understand that to be 10:39:28 the case? 10:39:29  A. So I know that oxy 30s are 10:39:29 blue. I'm not certain if oxy 15s are blue or 10:39:32
12 13 14 15 16	opioids, including oxy 15s and 30s, were 10:38:07 being widely abused and diverted in Florida; 10:38:10 is that fair to say? 10:38:16 MR. O'CONNOR: Objection to 10:38:16 form. 10:38:17	12 13 14 15 16	QUESTIONS BY MR. KO: 10:39:27 Q. Do you understand that to be 10:39:28 the case? 10:39:29 A. So I know that oxy 30s are 10:39:29 blue. I'm not certain if oxy 15s are blue or 10:39:32 not, sir, I'm sorry. They may be a different 10:39:35
12 13 14 15 16	opioids, including oxy 15s and 30s, were 10:38:07 being widely abused and diverted in Florida; 10:38:10 is that fair to say? 10:38:16  MR. O'CONNOR: Objection to 10:38:16 form. 10:38:17  THE WITNESS: Yes. 10:38:17	12 13 14 15 16 17	QUESTIONS BY MR. KO: 10:39:27 Q. Do you understand that to be 10:39:28 the case? 10:39:29 A. So I know that oxy 30s are 10:39:29 blue. I'm not certain if oxy 15s are blue or 10:39:32 not, sir, I'm sorry. They may be a different 10:39:35 color. 10:39:38
12 13 14 15 16 17	opioids, including oxy 15s and 30s, were 10:38:07 being widely abused and diverted in Florida; 10:38:10 is that fair to say? 10:38:16  MR. O'CONNOR: Objection to 10:38:16 form. 10:38:17  THE WITNESS: Yes. 10:38:17  QUESTIONS BY MR. KO: 10:38:17	12 13 14 15 16 17 18	QUESTIONS BY MR. KO: 10:39:27  Q. Do you understand that to be 10:39:28 the case? 10:39:29  A. So I know that oxy 30s are 10:39:29 blue. I'm not certain if oxy 15s are blue or 10:39:32 not, sir, I'm sorry. They may be a different 10:39:35 color. 10:39:38  Q. Okay. So with respect to at 10:39:38
12 13 14 15 16 17 18	opioids, including oxy 15s and 30s, were 10:38:07 being widely abused and diverted in Florida; 10:38:10 is that fair to say? 10:38:16  MR. O'CONNOR: Objection to 10:38:16 form. 10:38:17  THE WITNESS: Yes. 10:38:17  QUESTIONS BY MR. KO: 10:38:17  Q. Okay. And are you also 10:38:18	12 13 14 15 16 17 18	QUESTIONS BY MR. KO: 10:39:27  Q. Do you understand that to be 10:39:28 the case? 10:39:29  A. So I know that oxy 30s are 10:39:39 blue. I'm not certain if oxy 15s are blue or 10:39:32 not, sir, I'm sorry. They may be a different 10:39:35 color. 10:39:38  Q. Okay. So with respect to at 10:39:38 least oxy 30 and again, we're talking 10:39:39
12 13 14 15 16 17 18 19	opioids, including oxy 15s and 30s, were 10:38:07 being widely abused and diverted in Florida; 10:38:10 is that fair to say? 10:38:16  MR. O'CONNOR: Objection to 10:38:16 form. 10:38:17  THE WITNESS: Yes. 10:38:17  QUESTIONS BY MR. KO: 10:38:17  Q. Okay. And are you also 10:38:18 familiar with the term "the Oxy Express"? 10:38:20	12 13 14 15 16 17 18 19 20	QUESTIONS BY MR. KO: 10:39:27  Q. Do you understand that to be 10:39:28 the case? 10:39:29  A. So I know that oxy 30s are 10:39:29 blue. I'm not certain if oxy 15s are blue or 10:39:32 not, sir, I'm sorry. They may be a different 10:39:35 color. 10:39:38  Q. Okay. So with respect to at 10:39:38 least oxy 30 and again, we're talking 10:39:39 about the IR oxy 30s. 10:39:41
12 13 14 15 16 17 18 19 20	opioids, including oxy 15s and 30s, were 10:38:07 being widely abused and diverted in Florida; 10:38:10 is that fair to say? 10:38:16  MR. O'CONNOR: Objection to 10:38:16 form. 10:38:17  THE WITNESS: Yes. 10:38:17 QUESTIONS BY MR. KO: 10:38:17 Q. Okay. And are you also 10:38:18 familiar with the term "the Oxy Express"? 10:38:20 A. Yes. 10:38:24	12 13 14 15 16 17 18 19 20 21	QUESTIONS BY MR. KO: 10:39:27  Q. Do you understand that to be 10:39:28 the case? 10:39:29  A. So I know that oxy 30s are 10:39:29 blue. I'm not certain if oxy 15s are blue or 10:39:32 not, sir, I'm sorry. They may be a different 10:39:35 color. 10:39:38  Q. Okay. So with respect to at 10:39:38 least oxy 30 and again, we're talking 10:39:39 about the IR oxy 30s. 10:39:41 A. Yes. 10:39:43
12 13 14 15 16 17 18 19 20 21 22	opioids, including oxy 15s and 30s, were 10:38:07 being widely abused and diverted in Florida; 10:38:10 is that fair to say? 10:38:16  MR. O'CONNOR: Objection to 10:38:16 form. 10:38:17  THE WITNESS: Yes. 10:38:17  QUESTIONS BY MR. KO: 10:38:17  Q. Okay. And are you also 10:38:18 familiar with the term "the Oxy Express"? 10:38:20 A. Yes. 10:38:24 Q. In fact, you gave a 10:38:24	12 13 14 15 16 17 18 19 20 21 22	QUESTIONS BY MR. KO: 10:39:27  Q. Do you understand that to be 10:39:28 the case? 10:39:29  A. So I know that oxy 30s are 10:39:39 blue. I'm not certain if oxy 15s are blue or 10:39:32 not, sir, I'm sorry. They may be a different 10:39:35 color. 10:39:38  Q. Okay. So with respect to at 10:39:38 least oxy 30 and again, we're talking 10:39:39 about the IR oxy 30s. 10:39:41  A. Yes. 10:39:43  Q. Those pills were blue, and you 10:39:44

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1	form. 10:39:51	1	A. Yes. 10:41:28
2	THE WITNESS: Yes. 10:39:52	2	Q. Okay. And I understand the 10:41:29
3	QUESTIONS BY MR. KO: 10:39:52	3	settlement includes a period described 10:41:33
4	Q. Okay. We'll get to this a 10:39:53	4	"covered conduct." 10:41:37
5	little bit later, but about a year and a half 10:40:02	5	Do you recall that provision of 10:41:37
6	ago you obviously became aware of a 10:40:06	6	the settlement agreement? 10:41:39
7	settlement between Mallinckrodt and DOJ; is 10:40:07	7	A. Yes. 10:41:40
8	that correct? 10:40:11	8	Q. And the time period for that 10:41:40
9	A. Yes. 10:40:11	9	covered conduct was from January 1, 2008, to 10:41:42
10	O. And the settlement was with 10:40:12	10	January 1, 2012. 10:41:47
11	respect to Mallinc among other things, 10:40:13	11	Is that consistent with your 10:41:48
12	Mallinckrodt's conduct with respect to 10:40:16	12	understanding? 10:41:49
13	suspicious order monitoring of controlled 10:40:21	13	A. I don't remember the specific 10:41:50
14	substances, correct? 10:40:23	14	times of the covered conduct, but 10:41:52
15	A. Yes. 10:40:24	15	Q. Okay. 10:41:52
16	Q. Okay. And the settlement 10:40:27	16	A. I don't. I'm sorry. 10:41:54
17	resulted in a \$35 million payment by your 10:40:32	17	Q. All right. That's fine. We 10:41:56
18	employer to the government, correct? 10:40:34	18	can get to that later. 10:41:56
19	A. Yes. 10:40:36	19	A. Okay. 10:41:57
20	Q. Okay. And given that the 10:40:38	20	Q. But in general terms, there was 10:41:57
21	settlement revolved largely around 10:40:40	21	a period of time in which the government 10:41:59
22	Mallinckrodt's suspicious order monitoring 10:40:44	22	alleged that Mallinckrodt had a deficient SOM 10:42:01
23	activities I mean, that was something that 10:40:48	23	program; is that fair to say? 10:42:04
24	was your responsibility during the relevant 10:40:52	24	A. I don't know that the term 10:42:06
25	time period covered under the settlement; is 10:40:55	25	"deficient" was used. 10:42:07
	F F		
		_	
	Page 95		Page 97
1	that correct? 10:40:57	1	Q. Okay. 10:42:08
2	that correct? 10:40:57 MR. O'CONNOR: Objection to 10:40:57	2	<ul><li>Q. Okay. 10:42:08</li><li>A. But, yes, it was mentioned in 10:42:09</li></ul>
2 3	that correct? 10:40:57  MR. O'CONNOR: Objection to 10:40:57 form. 10:40:57	2 3	Q. Okay. 10:42:08  A. But, yes, it was mentioned in 10:42:09 the memorandum of agreement. 10:42:10
2 3 4	that correct? 10:40:57  MR. O'CONNOR: Objection to 10:40:57  form. 10:40:57  THE WITNESS: Yes. 10:40:58	2 3 4	Q. Okay. 10:42:08  A. But, yes, it was mentioned in 10:42:09 the memorandum of agreement. 10:42:10 Q. Yeah. 10:42:13
2 3 4 5	that correct? 10:40:57  MR. O'CONNOR: Objection to 10:40:57  form. 10:40:57  THE WITNESS: Yes. 10:40:58  QUESTIONS BY MR. KO: 10:41:00	2 3 4 5	Q. Okay. 10:42:08  A. But, yes, it was mentioned in 10:42:09 the memorandum of agreement. 10:42:10  Q. Yeah. 10:42:13  That Mallinckrodt's SOM the 10:42:14
2 3 4 5 6	that correct? 10:40:57  MR. O'CONNOR: Objection to 10:40:57  form. 10:40:57  THE WITNESS: Yes. 10:40:58  QUESTIONS BY MR. KO: 10:41:00  Q. Okay. And the relevant time 10:41:00	2 3 4 5	Q. Okay. 10:42:08  A. But, yes, it was mentioned in 10:42:09 the memorandum of agreement. 10:42:10 Q. Yeah. 10:42:13  That Mallinckrodt's SOM the 10:42:14 settlement agreement indicated that 10:42:16
2 3 4 5 6 7	that correct? 10:40:57  MR. O'CONNOR: Objection to 10:40:57  form. 10:40:57  THE WITNESS: Yes. 10:40:58  QUESTIONS BY MR. KO: 10:41:00  Q. Okay. And the relevant time 10:41:00  period of the settlement, I believe, or the 10:41:02	2 3 4 5 6 7	Q. Okay. 10:42:08  A. But, yes, it was mentioned in 10:42:09 the memorandum of agreement. 10:42:10  Q. Yeah. 10:42:13  That Mallinckrodt's SOM the 10:42:14 settlement agreement indicated that 10:42:16  Mallinckrodt's SOM program did not comport 10:42:19
2 3 4 5 6 7 8	that correct? 10:40:57  MR. O'CONNOR: Objection to 10:40:57  form. 10:40:57  THE WITNESS: Yes. 10:40:58  QUESTIONS BY MR. KO: 10:41:00  Q. Okay. And the relevant time period of the settlement, I believe, or the covered conduct as described in the 10:41:04	2 3 4 5 6 7 8	Q. Okay. 10:42:08  A. But, yes, it was mentioned in 10:42:09 the memorandum of agreement. 10:42:10  Q. Yeah. 10:42:13  That Mallinckrodt's SOM the 10:42:14 settlement agreement indicated that 10:42:16 Mallinckrodt's SOM program did not comport 10:42:19 with the DEA guidelines set forth in a couple 10:42:22
2 3 4 5 6 7 8	that correct? 10:40:57  MR. O'CONNOR: Objection to 10:40:57  form. 10:40:57  THE WITNESS: Yes. 10:40:58  QUESTIONS BY MR. KO: 10:41:00  Q. Okay. And the relevant time 10:41:00  period of the settlement, I believe, or the 10:41:02  covered conduct as described in the 10:41:04  settlement actually, strike that. 10:41:07	2 3 4 5 6 7 8	Q. Okay. 10:42:08  A. But, yes, it was mentioned in 10:42:09 the memorandum of agreement. 10:42:10 Q. Yeah. 10:42:13  That Mallinckrodt's SOM the 10:42:14 settlement agreement indicated that 10:42:16 Mallinckrodt's SOM program did not comport 10:42:19 with the DEA guidelines set forth in a couple 10:42:22 letters sent by the DEA; is that correct? 10:42:27
2 3 4 5 6 7 8 9	that correct? 10:40:57  MR. O'CONNOR: Objection to 10:40:57  form. 10:40:57  THE WITNESS: Yes. 10:40:58  QUESTIONS BY MR. KO: 10:41:00  Q. Okay. And the relevant time 10:41:00  period of the settlement, I believe, or the 10:41:02  covered conduct as described in the 10:41:04  settlement actually, strike that. 10:41:07  Are you familiar with the terms 10:41:09	2 3 4 5 6 7 8 9	Q. Okay. 10:42:08  A. But, yes, it was mentioned in 10:42:09 the memorandum of agreement. 10:42:10  Q. Yeah. 10:42:13  That Mallinckrodt's SOM the 10:42:14 settlement agreement indicated that 10:42:16 Mallinckrodt's SOM program did not comport 10:42:19 with the DEA guidelines set forth in a couple 10:42:22 letters sent by the DEA; is that correct? 10:42:27  MR. O'CONNOR: Objection to 10:42:29
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2 3 4 5 6 7 8 9 10 11 12 13 14 15	that correct? 10:40:57  MR. O'CONNOR: Objection to 10:40:57  form. 10:40:57  THE WITNESS: Yes. 10:40:58  QUESTIONS BY MR. KO: 10:41:00  Q. Okay. And the relevant time 10:41:00  period of the settlement, I believe, or the 10:41:02  covered conduct as described in the 10:41:07  Are you familiar with the terms 10:41:09  of the settlement? 10:41:10  A. Yes. 10:41:10  Q. You reviewed them? 10:41:11  A. Yes. 10:41:12  Q. Did you play a role in 10:41:13	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q. Okay. 10:42:08 A. But, yes, it was mentioned in 10:42:09 the memorandum of agreement. 10:42:10 Q. Yeah. 10:42:13 That Mallinckrodt's SOM the 10:42:14 settlement agreement indicated that 10:42:16 Mallinckrodt's SOM program did not comport 10:42:19 with the DEA guidelines set forth in a couple 10:42:22 letters sent by the DEA; is that correct? 10:42:27 MR. O'CONNOR: Objection to 10:42:29 form. 10:42:29 THE WITNESS: I don't remember 10:42:29 the specifics of the language. I'm 10:42:30 sorry. 10:42:33 QUESTIONS BY MR. KO: 10:42:33
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	that correct? 10:40:57  MR. O'CONNOR: Objection to 10:40:57  form. 10:40:57  THE WITNESS: Yes. 10:41:00  Q. Okay. And the relevant time 10:41:02  covered conduct as described in the 10:41:07  Are you familiar with the terms 10:41:10  A. Yes. 10:41:10  Q. You reviewed them? 10:41:11  A. Yes. 10:41:12  Q. Did you play a role in 10:41:13  negotiating any of the terms? 10:41:17  Q. Okay. That was presumably done 10:41:18  by counsel? 10:41:21  A. Yes. 10:41:21  A. Yes. 10:41:21  A. Yes. 10:41:21  A. No. 10:41:21  A. Yes. 10:41:21	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Okay. A. But, yes, it was mentioned in 10:42:09 the memorandum of agreement. 10:42:10 Q. Yeah. 10:42:13 That Mallinckrodt's SOM the 10:42:14 settlement agreement indicated that 10:42:16 Mallinckrodt's SOM program did not comport 10:42:19 with the DEA guidelines set forth in a couple 10:42:22 letters sent by the DEA; is that correct? 10:42:27 MR. O'CONNOR: Objection to 10:42:29 form. 10:42:29 THE WITNESS: I don't remember 10:42:29 the specifics of the language. I'm 10:42:30 sorry. 10:42:33 QUESTIONS BY MR. KO: 10:42:33 Q. Okay. That's fine. 10:42:34 discussed in any performance review that you 10:42:37 had recently? 10:42:40 A. No. 10:42:40 Q. Okay. Was there ever any 10:42:42 discussion of you losing your job as a result 10:42:45

	Page 98	I	Page 100
1	Why was that? 10:42:49	1	A. Yes. 10:44:46
2	A. So that so that perhaps if 10:42:50	2	Q. Okay. And regarding 10:44:47
3	the company chose to bring someone in my 10:42:55	3	Mallinckrodt's SOM program, you mentioned the 10:44:49
4	place, that I would gladly leave. 10:42:58	4	role of national account managers. 10:44:53
5	Q. Okay. And you offered to quit 10:43:01	5	Do you recall that? 10:44:56
6	because it was your responsibility during the 10:43:03	6	A. I do. 10:44:57
7	time of the covered conduct and the time 10:43:06	7	O. And also that customer service 10:44:58
8	period in the settlement to monitor and 10:43:08	8	representatives were involved? 10:45:00
9	revise and design Mallinckrodt's suspicious 10:43:10	9	A. Yes, that's correct. 10:45:02
10	order monitoring system, correct? 10:43:14	10	Q. And I believe you testified 10:45:03
11	MR. O'CONNOR: Object to form. 10:43:15	11	that they were necessary because they were 10:45:05
12	THE WITNESS: Yes. It happened 10:43:15	12	your eyes and ears on the ground or eyes 10:45:07
13	on my watch. 10:43:16	13	and ears to your customers and the customers' 10:45:09
14	QUESTIONS BY MR. KO: 10:43:17	14	customers and also the boots on the ground. 10:45:13
15	Q. By the way, are you aware of 10:43:23	15	Is that an accurate 10:45:15
16	any of whether or not the company 10:43:23	16	MR. O'CONNOR: Objection to 10:45:17
17	maintained a personnel file for you? 10:43:27	17	form. 10:45:17
18	A. Yes. 10:43:28	18	QUESTIONS BY MR. KO: 10:45:18
19	Q. Okay. 10:43:31	19	Q statement? 10:45:18
20	A. Yes. 10:43:31	20	A. So they were the eyes and ears 10:45:19
21	Q. And I take it you had annual 10:43:32	21	to our customers, but I do not necessarily 10:45:21
22	reviews? 10:43:37	22	know that they were the eyes and ears to our 10:45:23
23	A. Yes. 10:43:37	23	customers' customers. 10:45:28
24	Q. Okay. And did you receive 10:43:38	24	Q. Got it. 10:45:29
25	copies of these annual reviews to the extent 10:43:39	25	So it's accurate to say that 10:45:29
1		1	
	Page 99		Page 101
1	Page 99 they were in writing? 10:43:41	1	Page 101 you had NAMs, the national account managers. 10:45:32
1 2	they were in writing? 10:43:41	1 2	you had NAMs, the national account managers, 10:45:32
1 2 3	they were in writing? 10:43:41 A. Yes, I suppose. Yes. 10:43:42		you had NAMs, the national account managers, 10:45:32 and the CSRs, the customer service 10:45:34
2	they were in writing? 10:43:41  A. Yes, I suppose. Yes. 10:43:42  Q. Okay. Do you recall collecting 10:43:48	2	you had NAMs, the national account managers, 10:45:32 and the CSRs, the customer service 10:45:34 representatives, involved because they were 10:45:36
2 3	they were in writing? 10:43:41  A. Yes, I suppose. Yes. 10:43:42  Q. Okay. Do you recall collecting 10:43:48	2	you had NAMs, the national account managers, 10:45:32 and the CSRs, the customer service 10:45:34 representatives, involved because they were 10:45:36 your eyes and ears to your customers, 10:45:37
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	Page 102		Page 104
1	enhancing the program but not as an 10:46:20	1	for additional investigation. 10:48:17
2	ongoing, current-day member of the 10:46:23	2	QUESTIONS BY MR. KO: 10:48:17
3	team. 10:46:25	3	Q. Okay. 10:48:19
4	QUESTIONS BY MR. KO: 10:46:25	4	A. Not necessarily conclusion 10:48:19
5	Q. Got it. 10:46:27	5	diversion. 10:48:21
6	And when did that occur, that 10:46:27	6	Q. Okay. That's helpful. 10:48:22
7	they were 10:46:30	7	And with regard to the SOM 10:48:24
8	Well, when you said they were 10:46:31	8	program, the NAMs so then it's fair to say 10:48:26
9	part of the SOM team at that time, what time 10:46:39	9	that the NAMs' and the CSRs' job was to alert 10:48:28
10	period are you talking about? 10:46:41	10	you to alert you to potential diversion; 10:48:32
11	A. So we went through several 10:46:42	11	is that accurate? 10:48:34
12	projects of enhancing the suspicious order 10:46:50	12	A. Yes, I believe the structure 10:48:35
13	monitoring program, and one of the components 10:46:53	13	for customer service was they would escalate 10:48:36
14	was a customer checklist that each customer 10:46:55	14	to their manager first, who would then, if 10:48:39
15	was to fill out once per year. 10:46:58	15	appropriate, come to the controlled 10:48:41
16	So the NAMs and the customer 10:47:01	16	substances compliance group with that 10:48:43
17	service reps were important contributors to 10:47:04	17	concern. 10:48:44
18	that effort because they knew more about the 10:47:06	18	Q. Okay. So if a if an 10:48:45
19	customer side of the house, but as we sit 10:47:10	19	individual who was a national account manager 10:48:48
20	here today, they are not part of the 10:47:13	20	or customer service representative testified 10:48:50
21	suspicious order monitoring team. 10:47:15	21	that she or he was not involved in 10:48:54
22	Q. Got it. Thank you for the 10:47:16	22	identifying suspicious orders, that would not 10:48:57
23	clarification. 10:47:17	23	be accurate, correct? 10:48:59
24	So at some point in time when 10:47:17	24	MR. O'CONNOR: Objection to 10:49:00
25	you were part of the CSC team, the 10:47:24	25	form. 10:49:01
	Page 103		Page 105
1	involvement of the NAMs and the customer 10:47:27	1	THE WITNESS: It would not be 10:49:01
2	service reps in the day-to-day monitoring of 10:47:29	2	accurate. 10:49:08
3	the customers was removed off their plate; is 10:47:34	3	QUESTIONS BY MR. KO: 10:49:15
4	that fair to say? 10:47:38	4	Q. Okay. Now, throughout the time 10:49:15
5	MR. O'CONNOR: Object to form. 10:47:38	5	you were involved with the CSC and in 10:49:18
6	THE WITNESS: So I would have 10:47:41	6	connection with your duties to revise the SOM 10:49:20
7	never called the NAMs a day-to-day 10:47:41	7	program, did you ever consult any third 10:49:25
8	monitoring. The customer service 10:47:44	8	parties or consultants to assist you in 10:49:28
9	reps, yes, as they reviewed orders 10:47:46	9	implementing and maintaining an SOM program? 10:49:33
10	that came in, that has not changed. 10:47:48	10	A. Yes. 10:49:36
11	So I'd like to clarify that point. 10:47:49	11	Q. Okay. And which third parties 10:49:37
12	But when we speak of the 10:47:51	12	or vendors would those be? 10:49:38
	suspicious order monitoring team, the 10:47:53	13	A. The company is Drug and 10:49:39
13		14	Chemical Advisory Group. I'm not certain if 10:49:47
13	commercial neither the commercial 10:47:56	1 4	
14 15	commercial neither the commercial 10:47:56 group nor customer service is 10:47:57	15	they still exist, but that was the firm at 10:49:48
14 15 16	commercial neither the commercial 10:47:56 group nor customer service is 10:47:57 currently on the team. 10:47:59	15 16	the time. And that group was made up of 10:49:55
14 15 16 17	commercial neither the commercial 10:47:56 group nor customer service is 10:47:57 currently on the team. 10:47:59 QUESTIONS BY MR. KO: 10:48:00	15 16 17	the time. And that group was made up of 10:49:55 former DEA executives. 10:49:58
14 15 16 17 18	commercial neither the commercial 10:47:56 group nor customer service is 10:47:57 currently on the team. 10:47:59  QUESTIONS BY MR. KO: 10:48:00 Q. Okay. So when they were part 10:48:00	15 16 17 18	the time. And that group was made up of 10:49:55 former DEA executives. 10:49:58  Q. Okay. Including Frank 10:49:59
14 15 16 17 18 19	commercial neither the commercial 10:47:56 group nor customer service is 10:47:57 currently on the team. 10:47:59  QUESTIONS BY MR. KO: 10:48:00 Q. Okay. So when they were part 10:48:00 of the team, the NAMs and the CSRs assisted 10:48:02	15 16 17 18 19	the time. And that group was made up of 10:49:55 former DEA executives. 10:49:58 Q. Okay. Including Frank 10:49:59 Sapienza? 10:50:02
14 15 16 17 18	commercial neither the commercial 10:47:56 group nor customer service is 10:47:57 currently on the team. 10:47:59  QUESTIONS BY MR. KO: 10:48:00 Q. Okay. So when they were part 10:48:00 of the team, the NAMs and the CSRs assisted 10:48:02 in rooting out potential diversion of 10:48:06	15 16 17 18 19 20	the time. And that group was made up of 10:49:55 former DEA executives. 10:49:58 Q. Okay. Including Frank 10:49:59 Sapienza? 10:50:02 A. Sapienza, yes, sir. 10:50:02
14 15 16 17 18 19 20 21	commercial neither the commercial 10:47:56 group nor customer service is 10:47:57 currently on the team. 10:47:59  QUESTIONS BY MR. KO: 10:48:00 Q. Okay. So when they were part 10:48:00 of the team, the NAMs and the CSRs assisted 10:48:02 in rooting out potential diversion of 10:48:06  Mallinckrodt controlled substances; is that 10:48:10	15 16 17 18 19 20 21	the time. And that group was made up of 10:49:55 former DEA executives. 10:49:58 Q. Okay. Including Frank 10:49:59 Sapienza? 10:50:02 A. Sapienza, yes, sir. 10:50:02 Q. Other than the drug and 10:50:04
14 15 16 17 18 19 20 21 22	commercial neither the commercial 10:47:56 group nor customer service is 10:47:57 currently on the team. 10:47:59  QUESTIONS BY MR. KO: 10:48:00 Q. Okay. So when they were part 10:48:00 of the team, the NAMs and the CSRs assisted 10:48:02 in rooting out potential diversion of 10:48:06  Mallinckrodt controlled substances; is that 10:48:10 accurate? 10:48:12	15 16 17 18 19 20 21 22	the time. And that group was made up of 10:49:55 former DEA executives. 10:49:58 Q. Okay. Including Frank 10:49:59 Sapienza? 10:50:02 A. Sapienza, yes, sir. 10:50:02 Q. Other than the drug and 10:50:04 chemical group, anyone else? 10:50:05
14 15 16 17 18 19 20 21 22 23	commercial neither the commercial 10:47:56 group nor customer service is 10:47:57 currently on the team. 10:47:59  QUESTIONS BY MR. KO: 10:48:00 Q. Okay. So when they were part 10:48:00 of the team, the NAMs and the CSRs assisted 10:48:02 in rooting out potential diversion of 10:48:06  Mallinckrodt controlled substances; is that 10:48:10 accurate? 10:48:12  MR. O'CONNOR: Objection. 10:48:12	15 16 17 18 19 20 21 22 23	the time. And that group was made up of 10:49:55 former DEA executives. 10:49:58 Q. Okay. Including Frank 10:49:59 Sapienza? 10:50:02 A. Sapienza, yes, sir. 10:50:02 Q. Other than the drug and 10:50:04 chemical group, anyone else? 10:50:05 A. Yes. 10:50:06
14 15 16 17 18 19 20 21 22	commercial neither the commercial 10:47:56 group nor customer service is 10:47:57 currently on the team. 10:47:59  QUESTIONS BY MR. KO: 10:48:00 Q. Okay. So when they were part 10:48:00 of the team, the NAMs and the CSRs assisted 10:48:02 in rooting out potential diversion of 10:48:06  Mallinckrodt controlled substances; is that 10:48:10 accurate? 10:48:12	15 16 17 18 19 20 21 22	the time. And that group was made up of 10:49:55 former DEA executives. 10:49:58 Q. Okay. Including Frank 10:49:59 Sapienza? 10:50:02 A. Sapienza, yes, sir. 10:50:02 Q. Other than the drug and 10:50:04 chemical group, anyone else? 10:50:05

	5 1		<b>-</b>
	Page 106		Page 108
1	was retired DEA diversion program manager. 10:50:13	1	QUESTIONS BY MR. KO: 10:52:19
2	Q. Okay. Other than the drug and 10:50:20	2	Q. Okay. Other than the Buzzeo 10:52:19
3	chemical group and Mr. Davis, did you retain 10:50:21	3	group, the drug and chemical group and 10:52:25
4	any other entities to assist in the 10:50:25	4	Mr. Howard Davis, do you recall any other 10:52:27
5	implementation of Mallinckrodt's SOM program? 10:50:28	5	entities or individuals that Mallinckrodt 10:52:29
6	A. Is there a specific time frame 10:50:30	6	retained for purposes of implementing its SOM 10:52:31
7	to which you refer? 10:50:34	7	program at the time you were senior manager? 10:52:34
8	Q. During the time period in which 10:50:35	8	A. Yes. 10:52:36
9	you were senior manager of the controlled 10:50:37	9	Q. Okay. Who else? 10:52:37
10	substance compliance group. 10:50:40	10	A. So there's there is a lady 10:52:39
11	A. Yes. 10:50:41	11	who was a former employee. Her name is 10:52:41
12	Q. Okay. And who would who 10:50:44	12	Jennifer, but she goes by Jen, Buist, 10:52:45
13	would that individual be or which entities 10:50:45	13	B-u-i-s-t. 10:52:51
14	would that be? 10:50:47	14	Q. And if memory serves me 10:52:51
15	A. So I get I get confused 10:50:48	15	correct, Ms or Jennifer was retained 10:52:55
16	because we did not retain the consulting 10:50:50	16	sometime after 2012. 10:52:58
17	group for this purpose. They were retained 10:50:55	17	Is that consistent with your 10:53:02
18	through outside counsel, so Mallinckrodt did 10:50:58	18	understanding? 10:53:02
19	not retain them. 10:51:01	19	A. Yes. 10:53:02
20	Q. I see. 10:51:02	20	Q. Okay. In other words, she 10:53:06
21	So outside counsel, do you mean 10:51:03	21	wasn't retained or she wasn't part of the 10:53:08
22	Ropes & Gray? 10:51:05	22	SOM team in the 2008 to 2012 time period, was 10:53:10
23	A. Yes. 10:51:05	23	she? 10:53:12
24	Q. Okay. And which third-party 10:51:06	24	A. No. 10:53:13
25	consultant or vendor are you referring to? 10:51:11	25	(Mallinckrodt-Harper Exhibit 2 10:53:13
	Page 107		Page 109
1	A. They've changed names 10:51:12	1	marked for identification.) 10:53:13
2	throughout the years. It was at one time 10:51:14	2	QUESTIONS BY MR. KO: 10:53:13
3	called Buzzeo Consulting. Their named 10:51:16	3	Q. Okay. Why don't we turn to a 10:53:13
4	changed to IQVIA, Quintiles IMS, and now 10:51:20	4	new exhibit. This will be marked as Harper 10:53:22
5	they're known only at IMS. 10:51:27	5	Exhibit 2. 10:53:26
6	Q. And my understanding of IMS 10:51:31	6	And for the record, Harper 10:53:39
7	is and IQVIA is that it's a database that 10:51:32	7	Exhibit 2 is MNK-T1_0000275504. 10:53:41
8	tracks detailed patient-level information. 10:51:36	8	And, Ms. Harper, I just want to 10:53:54
9	So I just want to make sure I understand what 10:51:39	9	direct you to some pages on this document. 10:53:56
10	you're referring to in terms of their 10:51:41	10	And we can get to well, let's take a step 10:54:04
11	retention. 10:51:44	11	back. 10:54:08
12	Is it your testimony that you 10:51:45	12	This appears to be an e-mail 10:54:08
13	believe that they actually testified as 10:51:47	13	dated February 23, 2009, from you to Eileen 10:54:11
		111	Spaulding and Mary Lewis; is that correct? 10:54:15
14	consultants for the company, or did you 10:51:51	14	
14 15	consultants for the company, or did you 10:51:51 simply acquire data from them? 10:51:53	15	A. Yes. 10:54:18
	* *		
15	simply acquire data from them? 10:51:53	15	A. Yes. 10:54:18
15 16	simply acquire data from them? 10:51:53  MR. O'CONNOR: Objection to 10:51:55	15 16	A. Yes. 10:54:18 Q. And it's attaching a 10:54:18
15 16 17	simply acquire data from them? 10:51:53  MR. O'CONNOR: Objection to 10:51:55  form. 10:51:56	15 16 17	A. Yes. 10:54:18  Q. And it's attaching a 10:54:18  presentation you're making regarding the 10:54:20
15 16 17 18	simply acquire data from them? 10:51:53  MR. O'CONNOR: Objection to 10:51:55  form. 10:51:56  THE WITNESS: We did not 10:51:56	15 16 17 18	A. Yes. 10:54:18 Q. And it's attaching a 10:54:18 presentation you're making regarding the 10:54:20 controlled substance compliance group? 10:54:22
15 16 17 18 19	simply acquire data from them? 10:51:53  MR. O'CONNOR: Objection to 10:51:55  form. 10:51:56  THE WITNESS: We did not 10:51:56  acquire data from them. The company 10:51:59	15 16 17 18 19	A. Yes. 10:54:18 Q. And it's attaching a 10:54:18 presentation you're making regarding the controlled substance compliance group? 10:54:22 A. Yes. 10:54:24
15 16 17 18 19 20	simply acquire data from them? 10:51:53  MR. O'CONNOR: Objection to 10:51:55  form. 10:51:56  THE WITNESS: We did not 10:51:56  acquire data from them. The company 10:51:59  may have in some respect, but the old 10:52:01	15 16 17 18 19 20	A. Yes. 10:54:18  Q. And it's attaching a 10:54:18  presentation you're making regarding the controlled substance compliance group? 10:54:22  A. Yes. 10:54:24  Q. Okay. And I have seen a lot of 10:54:24
15 16 17 18 19 20 21	simply acquire data from them? 10:51:53  MR. O'CONNOR: Objection to 10:51:55  form. 10:51:56  THE WITNESS: We did not 10:51:56  acquire data from them. The company 10:51:59  may have in some respect, but the old 10:52:01  Buzzeo group became a part of the 10:52:04  IQVIA IMS organization, so they 10:52:06  were primarily we dealt with 10:52:13	15 16 17 18 19 20 21	A. Yes. 10:54:18  Q. And it's attaching a 10:54:18  presentation you're making regarding the controlled substance compliance group? 10:54:22  A. Yes. 10:54:24  Q. Okay. And I have seen a lot of 10:54:24 these presentations, and I believe that you 10:54:28
15 16 17 18 19 20 21 22	simply acquire data from them? 10:51:53  MR. O'CONNOR: Objection to 10:51:55  form. 10:51:56  THE WITNESS: We did not 10:51:56  acquire data from them. The company 10:51:59  may have in some respect, but the old 10:52:01  Buzzeo group became a part of the 10:52:04  IQVIA IMS organization, so they 10:52:06	15 16 17 18 19 20 21 22	A. Yes. 10:54:18 Q. And it's attaching a 10:54:18 presentation you're making regarding the controlled substance compliance group? 10:54:22 A. Yes. 10:54:24 Q. Okay. And I have seen a lot of 10:54:24 these presentations, and I believe that you 10:54:28 have given some of these presentations, so 10:54:30

	5 1		2
	Page 110		Page 112
1	particular presentation? 10:54:40	1	want you to confirm that at least as 10:56:19
2	MR. O'CONNOR: Objection to 10:54:41	2	reflected on this deck, the CSC group was 10:56:22
3	form. 10:54:42	3	established in August of 2008, correct? 10:56:27
4	THE WITNESS: Not this one 10:54:42	4	MR. O'CONNOR: Objection to 10:56:29
5	specifically, but as I read it, I'm 10:54:44	5	form. 10:56:31
6	familiar I'm refamiliarizing 10:54:46	6	THE WITNESS: Yes. 10:56:32
7	myself. 10:54:49	7	QUESTIONS BY MR. KO: 10:56:32
8	QUESTIONS BY MR. KO: 10:54:49	8	Q. And you were senior manager of 10:56:32
9	Q. Sure. Do you recall giving 10:54:49	9	that group at this time, correct? 10:56:33
10	presentations to other people or groups at 10:54:52	10	A. I was manager. 10:56:34
11	Mallinckrodt regarding the controlled 10:54:55	11	Q. You were manager. Okay. 10:56:40
12	substance compliance roles and 10:54:56	12	And when and so at some 10:56:42
13	responsibilities during the 2008 to 2017 time 10:54:58	13	point you became senior manager? 10:56:44
14	period? 10:55:03	14	A. Yes. 10:56:45
15	A. Yes. 10:55:03	15	Q. Okay. And as we discussed 10:56:46
16	Q. Okay. And this was one of 10:55:03	16	earlier, you don't recall exactly when? 10:56:47
17	those presentations? 10:55:06	17	A. No, I'm sorry. 10:56:49
18	A. Yes. 10:55:06	18	Q. Okay. Now, based on this 10:56:51
19	Q. Turning to page 2, which you're 10:55:07	19	document, is it accurate to say that prior to 10:56:56
20	on 10:55:13	20	August 2008 there was no such group at 10:56:58
21	A. Okay. 10:55:13	21	Mallinckrodt called the controlled substance 10:57:00
22	Q of the deck, you see that 10:55:14	22	compliance group? Is that correct? 10:57:02
23	the controlled substance compliance group was 10:55:15	23	A. Correct. 10:57:04
24	established in August 2008. 10:55:16	24	Q. Okay. I want to turn to 10:57:04
25	Do you see that? 10:55:18	25	page 11 of this document, of the deck in 10:57:12
	Page 111		Page 113
1	A. I see that. 10:55:18	1	
2	Q. Okay. And that the name was 10:55:19	2	the controlled substance compliance team. 10:57:20
3	changed from DEA compliance to the CSC, 10:55:21	3	Do you see that? 10:57:21
4	correct? 10:55:29	4	A. Yes, I do. 10:57:22
5	A. Yes. Yes. 10:55:29	5	Q. And it indicates here that you 10:57:24
6	Q. Okay. And just to help you 10:55:29	6	are the manager, as we just discussed, of 10:57:26
7	along, the portion I was referencing just a 10:55:35	7	controlled substance compliance, correct? 10:57:28
8	moment ago was right there. 10:55:43	8	A. Correct. 10:57:31
9	And so the CSC group of which 10:55:44	9	Q. And this comprises the entire 10:57:31
10	you were senior manager was established in 10:55:47	10	controlled substance compliance team? 10:57:34
11	August 2008, according to this presentation, 10:55:49	11	A. Yes. 10:57:35
12	correct? 10:55:51	12	Q. And it looks like you reported 10:57:37
13	A. Yes, according to the 10:55:52	13	to Ms. JoAnne Levy? 10:57:41
14	presentation. 10:55:54	14	A. Levy, yes, sir. 10:57:43
15	Q. And is that consistent with 10:55:54	15	Q. Levy, thank you. 10:57:44
16	your recollection? 10:55:57	16	And what was her role? 10:57:45
17	A. I'm so uncertain of the years 10:55:58	17	A. She was the vice president of 10:57:47
18	the different events happened. I know this 10:56:01	18	the logistics group. 10:57:50
19	happened. I see that the presentation reads 10:56:03	19	Q. And did she have any day-to-day 10:57:51
20	that way, but if it conflicts with a date 10:56:05	20	involvement with the controlled substance 10:57:54
21	that I previously provided, I apologize. 10:56:08	21	compliance team? 10:57:55
22	Q. Sure. No need to apologize. 10:56:12	22	A. Yes. 10:57:56
23	This isn't necessarily a memory test. 10:56:15	23	Q. Okay. And what did that 10:57:56
24	A. Okay. 10:56:17	24	day-to-day involvement consist of? 10:57:57
25	Q. But I'm just curious well, I 10:56:18	25	A. As our vice president, she was 10:57:59
1	• • • • • • • • • • • • • • • • • • • •		

		_	artification contraction neview
	Page 114		Page 116
1	part of the team that enhanced the suspicious 10:58:03	1	
2	order monitoring program. 10:58:09	2	at Mallinckrodt knew more about 10:59:49
3	Q. Okay. 10:58:09	3	Mallinckrodt's SOM program other than you, 10:59:52
4	A. We also deferred to her on 10:58:09	4	correct? 10:59:54
5	certain matters of, pardon me, of quota and 10:58:14	5	A. Correct. 10:59:54
6	other duties related to the DEA compliance 10:58:19	6	Q. Okay. And in addition to you 10:59:55
7	group. 10:58:22	7	having involvement in the SOM program at 11:00:02
8	Q. Okay. Now, with respect to the 10:58:22	8	Mallinckrodt, Ms. Spaulding also played a key 11:00:03
9	revisions and implementation of 10:58:30	9	role; would you agree with that? 11:00:06
10	Mallinckrodt's SOM program in particular, is 10:58:31	10	MR. O'CONNOR: Objection to 11:00:08
11	it fair to say that you were the team leader 10:58:36	11	form. 11:00:10
12	of that particular group? 10:58:38	12	THE WITNESS: Yes. 11:00:10
13	A. No. 10:58:41	13	QUESTIONS BY MR. KO: 11:00:10
14	Q. It's not. 10:58:41	14	Q. And she's based out of the 11:00:10
15	You don't believe you were the 10:58:42	15	Hobart office? 11:00:12
16	team leader of during well, let me take 10:58:43	16	A. Yes. 11:00:13
17	that back. 10:58:47	17	Q. And by the way, you were based 11:00:13
18	So from the time period of 10:58:47	18	here in St. Louis, correct? 11:00:16
19	August 2008 to 2012, were you the team leader 10:58:50	19	A. Yes. 11:00:17
20	of Mallinckrodt's SOM program? 10:58:57	20	Q. And were you based not in the 11:00:17
21	A. We did not have a designated 10:59:00	21	Hazelwood office but a different office? 11:00:20
22	team leader. 10:59:02	22	A. I've had three different 11:00:23
23	Q. Okay. 10:59:03	23	offices in the St. Louis area. 11:00:25
24	A. And we would have deferred to 10:59:04	24	Q. Okay. During the 2008 to 2012 11:00:26
25	the most senior official on the team, but we 10:59:06	25	time period, where were you located? 11:00:30
	Daga 115		Daga 117
1	Page 115		Page 117
1	did not have a designated leader. 10:59:10	1	A. I believe I was at Hazelwood. 11:00:32
2	Q. And when you say "defer to the 10:59:12	2	Q. And where was Ms. Levy? 11:00:37
3	most senior official," are you referring to 10:59:13	3	A. At Hazelwood. 11:00:42
4	Ms. Levy? 10:59:15	4	Q. Okay. I want to turn to 11:00:43
5	A. At that time, yes. 10:59:16	5	page 15 of this deck, and here it appears 11:00:45
6	Q. Okay. There has been again, 10:59:18	6	that you are describing some recent 11:00:58
7	this isn't a memory test. 10:59:21	7	developments in the controlled substance 11:01:01
8	A. Okay. 10:59:23	8	compliance group; is that accurate? 11:01:03
9	Q. So if your recollection is 10:59:23	9	A. Contributions, yes, sir. 11:01:06
10	different, I totally understand. 10:59:25	10	Q. Contributions. 11:01:07
11	But I have seen reference to 10:59:27	11	And one contribution appears to 11:01:07
12	documents that suggest that you were the team 10:59:28	12	be the implementation of an SOM program? 11:01:09
13	leader of the SOM program. 10:59:30	13	MR. O'CONNOR: Objection to 11:01:14
14	Do you you dispute that? 10:59:32	14	form. 11:01:14
15	MR. O'CONNOR: Objection to 10:59:33	15	THE WITNESS: So it's not 11:01:14
16	form. 10:59:34	16	qualified here, but we had a program 11:01:18
17	THE WITNESS: I don't dispute 10:59:34	17	in place, so that would have been an 11:01:20
18	that. 10:59:36	18	enhancement activity of the SOM 11:01:23
19	QUESTIONS BY MR. KO: 10:59:36	19	program. 11:01:24
20	Q. Okay. You don't dispute that. 10:59:36	20	QUESTIONS BY MR. KO: 11:01:25
21	A. I may have been referenced as 10:59:38	21	Q. Okay. And an enhancement 11:01:25
22	the team leader, but I didn't I was a key 10:59:40	22	activity, in other words, an attempt to 11:01:27
23	contributor, but I didn't perceive myself as 10:59:43	23	revise it and improve the program; is that 11:01:32
24	the leader. 10:59:46	24	accurate? 11:01:35
25	Q. All right. But as we discussed 10:59:46	25	A. Yes. Yes. 11:01:35
1			

	Page 118		Dogg 120
1	_	1	Page 120 they also include or did you also review 11:03:24
2	Q. And when here it says, "CSOS 11:01:36 receipt guidance for customers." 11:01:39	2	and read statements regarding Federal 11:03:30
3	What does CSOS refer to? 11:01:40		
		3	Register Notices of suspicious order 11:03:41
4	A. So the DEA implemented an 11:01:42	4	monitoring activities? 11:03:42
5	electronic 222 format, and some of our 11:01:45	5	MR. O'CONNOR: Objection to 11:03:42
6	customers are narcotic treatment programs. 11:01:51	6	form. 11:03:43
7	They had a lot of questions around how to 11:01:54	7	QUESTIONS BY MR. KO: 11:03:43
8	manage their recordkeeping, so we provided 11:01:57	8	Q. It was a poor question. Let me 11:03:44
9	guidance to those customers. 11:02:01	9	ask it again. 11:03:46
10	Q. Okay. And the 222 form is a 11:02:02	10	When reviewing the Federal 11:03:46
11	form required by the DEA that every 11:02:04	11	Register Notices, did you also see and review 11:03:48
12	registrant fills out when ordering 11:02:05	12	notices that related to SOM activities of 11:03:50
13	prescription or controlled substances; is 11:02:07	13	other registrants? 11:03:52
14	that accurate? 11:02:09	14	A. Yes. 11:03:54
15	A. Schedule II. 11:02:09	15	Q. And my presumption is that you 11:03:55
16	Q. Schedule II in particular? 11:02:10	16	paid particularly close attention to some of 11:04:00
17	A. Yes. 11:02:12	17	those notices? 11:04:01
18	Q. Thank you. 11:02:12	18	MR. O'CONNOR: Objection. 11:04:02
19	And here, the next reference is 11:02:12	19	THE WITNESS: One in 11:04:03
20	to what the next item down refers to 11:02:16	20	particular, yes. 11:04:03
21	something we had just previously discussed 11:02:20	21	QUESTIONS BY MR. KO: 11:04:04
22	about Federal Register Notices. 11:02:22	22	Q. Would that be the Southwood 11:04:04
23	Do you see that? 11:02:24	23	A. Yes. 11:04:04
24	A. Yes. 11:02:24	24	Q notice? 11:04:06
25	Q. And so you are informing 11:02:25	25	Okay. Do you recall when you 11:04:06
			Shaji Bo'you'recan when you '11.0 1.00
	Page 119		Page 121
1	whoever's at this presentation that one 11:02:27	1	reviewed that one? 11:04:07
2	contribution of the CSC group is to watch 11:02:30	2	A. When DEA called it out in one 11:04:09
3	Federal Register Notices that come out that 11:02:39		-64-1-14-1-14-1-14-1-14-1-14-1-14-1-14-
		3	of their guidance letters as being 11:04:12
4	are relevant for Mallinckrodt, correct? 11:02:41	3 4	instructive, that is what we went to 11:04:14
5	are relevant for Mallinckrodt, correct? 11:02:41  A. Correct. 11:02:41	3 4 5	
	•	4	instructive, that is what we went to 11:04:14
5	A. Correct. 11:02:41	4 5	instructive, that is what we went to 11:04:14 immediately and reviewed. 11:04:16
5	A. Correct. 11:02:41 Q. And the Federal Register 11:02:42	4 5 6	instructive, that is what we went to 11:04:14 immediately and reviewed. 11:04:16  Q. Okay. And you recall this was 11:04:17
5 6 7	A. Correct. 11:02:41 Q. And the Federal Register 11:02:42 Notices, what was your understanding of 11:02:44	4 5 6 7	instructive, that is what we went to 11:04:14 immediately and reviewed. 11:04:16  Q. Okay. And you recall this was 11:04:17 generally in the 2007 or early 2008 time 11:04:19
5 6 7 8	A. Correct. 11:02:41 Q. And the Federal Register 11:02:42 Notices, what was your understanding of 11:02:44 generally what those consisted of? 11:02:46	4 5 6 7 8	instructive, that is what we went to 11:04:14 immediately and reviewed. 11:04:16  Q. Okay. And you recall this was 11:04:17 generally in the 2007 or early 2008 time 11:04:19 period? 11:04:23
5 6 7 8 9	A. Correct. 11:02:41 Q. And the Federal Register 11:02:42 Notices, what was your understanding of 11:02:44 generally what those consisted of? 11:02:46 Actually, take that back. 11:02:48	4 5 6 7 8	instructive, that is what we went to 11:04:14 immediately and reviewed. 11:04:16  Q. Okay. And you recall this was 11:04:17 generally in the 2007 or early 2008 time 11:04:19 period? 11:04:23  A. It was 2006, 2007, approximate, 11:04:24
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5 6 7 8 9 10 11	A. Correct. 11:02:41 Q. And the Federal Register 11:02:42 Notices, what was your understanding of 11:02:44 generally what those consisted of? 11:02:46 Actually, take that back. 11:02:48 Is it a Federal Register 11:02:49 Notice with respect to the Federal 11:02:54 Register Notices that you paid particularly 11:02:57	4 5 6 7 8 9 10	instructive, that is what we went to 11:04:14 immediately and reviewed. 11:04:16  Q. Okay. And you recall this was 11:04:17 generally in the 2007 or early 2008 time 11:04:19 period? 11:04:23  A. It was 2006, 2007, approximate, 11:04:24 but I don't remember the dates. 11:04:26 Q. Okay. With respect to 11:04:27 participate in RiskMAP program, an FDA 11:04:33
5 6 7 8 9 10 11 12	A. Correct. 11:02:41 Q. And the Federal Register 11:02:42 Notices, what was your understanding of 11:02:44 generally what those consisted of? 11:02:46     Actually, take that back. 11:02:48     Is it a Federal Register 11:02:49 Notice with respect to the Federal 11:02:54 Register Notices that you paid particularly 11:02:57 close attention to, those were notices that 11:02:58	4 5 6 7 8 9 10 11 12	instructive, that is what we went to 11:04:14 immediately and reviewed. 11:04:16  Q. Okay. And you recall this was 11:04:17 generally in the 2007 or early 2008 time 11:04:19 period? 11:04:23  A. It was 2006, 2007, approximate, 11:04:24 but I don't remember the dates. 11:04:26  Q. Okay. With respect to 11:04:27 participate in RiskMAP program, an FDA 11:04:33 initiative, can you describe to the Court 11:04:38
5 6 7 8 9 10 11 12 13	A. Correct. 11:02:41 Q. And the Federal Register 11:02:42 Notices, what was your understanding of 11:02:44 generally what those consisted of? 11:02:46 Actually, take that back. 11:02:48 Is it a Federal Register 11:02:49 Notice with respect to the Federal 11:02:54 Register Notices that you paid particularly 11:02:57 close attention to, those were notices that 11:03:02	4 5 6 7 8 9 10 11 12	instructive, that is what we went to 11:04:14 immediately and reviewed. 11:04:16  Q. Okay. And you recall this was 11:04:17 generally in the 2007 or early 2008 time 11:04:19 period? 11:04:23  A. It was 2006, 2007, approximate, 11:04:24 but I don't remember the dates. 11:04:26 Q. Okay. With respect to 11:04:27 participate in RiskMAP program, an FDA 11:04:33
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5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. Correct. 11:02:41 Q. And the Federal Register 11:02:42 Notices, what was your understanding of 11:02:44 generally what those consisted of? 11:02:46 Actually, take that back. 11:02:48 Is it a Federal Register 11:02:49 Notice with respect to the Federal 11:02:54 Register Notices that you paid particularly 11:02:57 close attention to, those were notices that 11:03:05 interpreted certain DEA statutes; is that 11:03:02 fair to say? 11:03:05 MR. O'CONNOR: Objection to 11:03:05 form. 11:03:05 THE WITNESS: I would not call 11:03:06 them interpretations. They were 11:03:08 statements of quota, the US aggregate 11:03:11	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	instructive, that is what we went to immediately and reviewed. 11:04:16  Q. Okay. And you recall this was 11:04:17 generally in the 2007 or early 2008 time 11:04:19 period? 11:04:23  A. It was 2006, 2007, approximate, 11:04:24 but I don't remember the dates. 11:04:26  Q. Okay. With respect to 11:04:27 participate in RiskMAP program, an FDA 11:04:33 initiative, can you describe to the Court 11:04:38 what the RiskMAP program was? 11:04:41  A. I don't remember the definition 11:04:45 of the acronym, but it pertained it was an 11:04:47 FDA program where certain drug substances 11:04:53 were monitored forward through the supply 11:04:56 chain. 11:04:59  Q. Okay. And when you say 11:05:00
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5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Correct. Q. And the Federal Register 11:02:42  Notices, what was your understanding of 11:02:44 generally what those consisted of? 11:02:46     Actually, take that back. 11:02:48     Is it a Federal Register 11:02:49  Notice with respect to the Federal 11:02:54 Register Notices that you paid particularly 11:02:57 close attention to, those were notices that 11:02:58 interpreted certain DEA statutes; is that 11:03:02 fair to say? 11:03:05  MR. O'CONNOR: Objection to 11:03:05 form. 11:03:05  THE WITNESS: I would not call 11:03:06 them interpretations. They were 11:03:08 statements of quota, the US aggregate quota, notices of proposed rulemaking, 11:03:16 who had applied to become a new 11:03:19	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	instructive, that is what we went to 11:04:14 immediately and reviewed. 11:04:16  Q. Okay. And you recall this was 11:04:17 generally in the 2007 or early 2008 time 11:04:19 period? 11:04:23  A. It was 2006, 2007, approximate, 11:04:24 but I don't remember the dates. 11:04:26  Q. Okay. With respect to 11:04:27 participate in RiskMAP program, an FDA 11:04:33 initiative, can you describe to the Court 11:04:38 what the RiskMAP program was? 11:04:41  A. I don't remember the definition 11:04:45 of the acronym, but it pertained it was an 11:04:47 FDA program where certain drug substances 11:04:53 were monitored forward through the supply 11:04:56 chain. 11:04:59  Q. Okay. And when you say 11:05:00 "forward," do you mean after they left the 11:05:02 warehouses of the manufacturer facility? 11:05:09
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Correct. Q. And the Federal Register 11:02:42 Notices, what was your understanding of 11:02:44 generally what those consisted of? 11:02:46    Actually, take that back. 11:02:48    Is it a Federal Register 11:02:49 Notice with respect to the Federal 11:02:54 Register Notices that you paid particularly 11:02:57 close attention to, those were notices that 11:02:58 interpreted certain DEA statutes; is that 11:03:02 fair to say? 11:03:05     MR. O'CONNOR: Objection to 11:03:05 form. 11:03:05     THE WITNESS: I would not call 11:03:06 them interpretations. They were 11:03:08 statements of quota, the US aggregate 11:03:11 quota, notices of proposed rulemaking, 11:03:16 who had applied to become a new 11:03:19 registrant, things like that. 11:03:20	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	instructive, that is what we went to immediately and reviewed. 11:04:16  Q. Okay. And you recall this was 11:04:17 generally in the 2007 or early 2008 time 11:04:19 period? 11:04:23  A. It was 2006, 2007, approximate, 11:04:24 but I don't remember the dates. 11:04:26  Q. Okay. With respect to 11:04:27 participate in RiskMAP program, an FDA 11:04:33 initiative, can you describe to the Court 11:04:38 what the RiskMAP program was? 11:04:41  A. I don't remember the definition 11:04:45 of the acronym, but it pertained it was an 11:04:47 FDA program where certain drug substances 11:04:53 were monitored forward through the supply 11:04:56 chain. 11:04:59  Q. Okay. And when you say 11:05:00 "forward," do you mean after they left the 11:05:02 warehouses of the manufacturer facility? 11:05:09  A. Yes. 11:05:12
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	A. Correct. Q. And the Federal Register 11:02:42 Notices, what was your understanding of 11:02:44 generally what those consisted of? 11:02:46    Actually, take that back. 11:02:48    Is it a Federal Register 11:02:49 Notice with respect to the Federal 11:02:54 Register Notices that you paid particularly 11:02:57 close attention to, those were notices that 11:02:58 interpreted certain DEA statutes; is that 11:03:02 fair to say? 11:03:05     MR. O'CONNOR: Objection to 11:03:05 form. 11:03:05     THE WITNESS: I would not call 11:03:06 them interpretations. They were 11:03:08 statements of quota, the US aggregate 11:03:11 quota, notices of proposed rulemaking, 11:03:16 who had applied to become a new 11:03:19 registrant, things like that. 11:03:20  QUESTIONS BY MR. KO: 11:03:22	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	instructive, that is what we went to immediately and reviewed. 11:04:16  Q. Okay. And you recall this was 11:04:17 generally in the 2007 or early 2008 time 11:04:19 period? 11:04:23  A. It was 2006, 2007, approximate, 11:04:24 but I don't remember the dates. 11:04:26  Q. Okay. With respect to 11:04:27 participate in RiskMAP program, an FDA 11:04:33 initiative, can you describe to the Court 11:04:38 what the RiskMAP program was? 11:04:41  A. I don't remember the definition 11:04:45 of the acronym, but it pertained it was an 11:04:47 FDA program where certain drug substances 11:04:53 were monitored forward through the supply 11:04:56 chain. 11:04:59  Q. Okay. And when you say 11:05:00 "forward," do you mean after they left the 11:05:02 warehouses of the manufacturer facility? 11:05:09  A. Yes. 11:05:12  Q. Okay. So would it be fair to 11:05:13
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Correct. Q. And the Federal Register 11:02:42 Notices, what was your understanding of 11:02:44 generally what those consisted of? 11:02:46    Actually, take that back. 11:02:48    Is it a Federal Register 11:02:49 Notice with respect to the Federal 11:02:54 Register Notices that you paid particularly 11:02:57 close attention to, those were notices that 11:02:58 interpreted certain DEA statutes; is that 11:03:02 fair to say? 11:03:05     MR. O'CONNOR: Objection to 11:03:05 form. 11:03:05     THE WITNESS: I would not call 11:03:06 them interpretations. They were 11:03:08 statements of quota, the US aggregate 11:03:11 quota, notices of proposed rulemaking, 11:03:16 who had applied to become a new 11:03:19 registrant, things like that. 11:03:20	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	instructive, that is what we went to immediately and reviewed. 11:04:16  Q. Okay. And you recall this was 11:04:17 generally in the 2007 or early 2008 time 11:04:19 period? 11:04:23  A. It was 2006, 2007, approximate, 11:04:24 but I don't remember the dates. 11:04:26  Q. Okay. With respect to 11:04:27 participate in RiskMAP program, an FDA 11:04:33 initiative, can you describe to the Court 11:04:38 what the RiskMAP program was? 11:04:41  A. I don't remember the definition 11:04:45 of the acronym, but it pertained it was an 11:04:47 FDA program where certain drug substances 11:04:53 were monitored forward through the supply 11:04:56 chain. 11:04:59  Q. Okay. And when you say 11:05:00 "forward," do you mean after they left the 11:05:02 warehouses of the manufacturer facility? 11:05:09  A. Yes. 11:05:12

	Page 122		Page 124
1	strike that. 11:05:24	1	manufacturers there were two or 11:06:53
2	Now, there's also a reference 11:05:24	2	three others and have a 11:06:54
3	made to working with the DEA on methadone. 11:05:29	3	collaborative discussion with them in 11:06:57
4	Do you see that? 11:05:35	4	terms of how the 40-milligram 11:06:58
5	A. Yes. 11:05:36	5	methadone specifically was being 11:07:02
6	Q. And Mallinckrodt manufactures a 11:05:36	6	distributed at pharmacies, and the 11:07:07
7	large amount of generic methadone as well, 11:05:38	7	data that they were seeing related to 11:07:10
8	correct? 11:05:41	8	the mortality that they were 11:07:12
9	MR. O'CONNOR: Objection to 11:05:41	9	associating with those distributions. 11:07:13
10	form. 11:05:42	10	QUESTIONS BY MR. KO: 11:07:15
11	THE WITNESS: We manufacture 11:05:42	11	Q. And when you say "mortality," 11:07:15
12	methadone, and I don't again have I 11:05:44	12	you're saying that there were a large amount 11:07:18
13	don't know if we're the largest, or 11:05:45	13	of or there were people that were 11:07:19
14	large, but, yes, we manufacture it. 11:05:46	14	overdosing on methadone at the time that you 11:07:21
15	QUESTIONS BY MR. KO: 11:05:47	15	met with DEA, correct? 11:07:25
16	Q. Okay. And despite not knowing 11:05:48	16	MR. O'CONNOR: Objection to 11:07:27
17	whether or not you are the largest, or large, 11:05:52	17	form. 11:07:27
18	you do understand that Mallinckrodt has for 11:05:55	18	THE WITNESS: Yes, but may I 11:07:28
19	quite some time manufactured generic 11:05:58	19	please add that that was because there 11:07:29
20	methadone, correct? 11:05:59	20	were physicians that were writing them 11:07:33
21	A. Yes. 11:06:00	21	for purposes other than which they 11:07:34
22	Q. Okay. And since at least the 11:06:01	22	were FDA-approved. 11:07:38
23	mid-'90s, if not prior to that? 11:06:02	23	QUESTIONS BY MR. KO: 11:07:39
24	A. I don't recall the year because 11:06:06	24	Q. Okay. And that's based on your 11:07:40
25	previously it was manufactured by an external 11:06:09	25	understanding what the DEA was telling you, 11:07:42
	Page 123		Page 125
1	party and shipped to Mallinckrodt for 11:06:11	1	correct? Or do you actually have personal 11:07:44
2	distribution, so I don't know when we brought 11:06:13	2	knowledge? 11:07:46
3	the manufacturing in-house. 11:06:15	3	A. I do not have any personal 11:07:46
4	Q. Sure. 11:06:17	4	knowledge. 11:07:47
5	A. Of the methadone, 40 11:06:17	5	Q. So it was based on what the DEA 11:07:47
6	milligrams, that is. 11:06:19	6	was telling you? 11:07:49
7	Q. And thank you for that 11:06:20	7	A. Yes. 11:07:50
8	clarification. 11:06:21	8	Q. And do you recall when 11:07:50
9	Mallinckrodt manufactured 11:06:21	9	approximately when that meeting in 11:07:51
10	various different strengths of methadone, 11:06:22	10	Washington, DC, was? 11:07:53
11	correct? 11:06:25	11	A. I don't recall the date. 11:07:54
12	A. Yes. 11:06:25	12	Q. Was it before 2008? 11:07:57
	A. 168. 11.00.23		
13	Q. I believe in 5, 10 and 11:06:27	13	A. I'm sorry, I don't recall the 11:08:00
13 14		13 14	A. I'm sorry, I don't recall the 11:08:00 date. 11:08:01
	Q. I believe in 5, 10 and 11:06:27		-
14	Q. I believe in 5, 10 and 11:06:27 40-milligram dosages, among other quantities? 11:06:30	14	date. 11:08:01
14 15	Q. I believe in 5, 10 and 11:06:27 40-milligram dosages, among other quantities? 11:06:30 A. Yes. 11:06:33	14 15	date. 11:08:01 Q. Fair enough. 11:08:02
14 15 16	Q. I believe in 5, 10 and 11:06:27 40-milligram dosages, among other quantities? 11:06:30 A. Yes. 11:06:33 Q. Okay. And at a certain point 11:06:33	14 15 16	date. 11:08:01  Q. Fair enough. 11:08:02  And going back to the RiskMAP 11:08:02
14 15 16 17	Q. I believe in 5, 10 and 11:06:27  40-milligram dosages, among other quantities? 11:06:30  A. Yes. 11:06:33  Q. Okay. And at a certain point 11:06:33 in time, the DEA alerted you and the CSC 11:06:35	14 15 16 17	date. 11:08:01  Q. Fair enough. 11:08:02  And going back to the RiskMAP 11:08:02  and trying to understand, as you described, 11:08:09
14 15 16 17 18	Q. I believe in 5, 10 and 11:06:27 40-milligram dosages, among other quantities? 11:06:30 A. Yes. 11:06:33 Q. Okay. And at a certain point 11:06:33 in time, the DEA alerted you and the CSC 11:06:35 group of methadone abuse and diversion, 11:06:39	14 15 16 17 18	date. 11:08:01  Q. Fair enough. 11:08:02  And going back to the RiskMAP 11:08:02  and trying to understand, as you described, 11:08:09 the path of a drug that a manufacturer 11:08:12
14 15 16 17 18	Q. I believe in 5, 10 and 11:06:27  40-milligram dosages, among other quantities? 11:06:30  A. Yes. 11:06:33  Q. Okay. And at a certain point 11:06:33 in time, the DEA alerted you and the CSC 11:06:35 group of methadone abuse and diversion, 11:06:39 correct? 11:06:41	14 15 16 17 18 19	date. 11:08:01  Q. Fair enough. 11:08:02  And going back to the RiskMAP 11:08:02  and trying to understand, as you described, 11:08:09 the path of a drug that a manufacturer 11:08:12 produced, forward, as you said, do you recall 11:08:20
14 15 16 17 18 19	Q. I believe in 5, 10 and 11:06:27  40-milligram dosages, among other quantities? 11:06:30  A. Yes. 11:06:33  Q. Okay. And at a certain point 11:06:33 in time, the DEA alerted you and the CSC 11:06:35 group of methadone abuse and diversion, 11:06:39 correct? 11:06:41  MR. O'CONNOR: Objection to 11:06:42	14 15 16 17 18 19 20	date. 11:08:01  Q. Fair enough. 11:08:02  And going back to the RiskMAP 11:08:02  and trying to understand, as you described, 11:08:09 the path of a drug that a manufacturer 11:08:12 produced, forward, as you said, do you recall 11:08:20 at a certain point in time creating a RiskMAP 11:08:25
14 15 16 17 18 19 20	Q. I believe in 5, 10 and 11:06:27  40-milligram dosages, among other quantities? 11:06:30  A. Yes. 11:06:33  Q. Okay. And at a certain point 11:06:33 in time, the DEA alerted you and the CSC 11:06:35 group of methadone abuse and diversion, 11:06:39 correct? 11:06:41  MR. O'CONNOR: Objection to 11:06:42 form. 11:06:45	14 15 16 17 18 19 20 21	date. 11:08:01  Q. Fair enough. 11:08:02  And going back to the RiskMAP 11:08:02  and trying to understand, as you described, 11:08:09 the path of a drug that a manufacturer 11:08:12 produced, forward, as you said, do you recall 11:08:20 at a certain point in time creating a RiskMAP 11:08:25 for oxycodone 30? 11:08:31
14 15 16 17 18 19 20 21	Q. I believe in 5, 10 and 11:06:27  40-milligram dosages, among other quantities? 11:06:30  A. Yes. 11:06:33  Q. Okay. And at a certain point 11:06:33  in time, the DEA alerted you and the CSC 11:06:35  group of methadone abuse and diversion, 11:06:39  correct? 11:06:41  MR. O'CONNOR: Objection to 11:06:42  form. 11:06:45  THE WITNESS: They called it 11:06:45	14 15 16 17 18 19 20 21 22	date. 11:08:01  Q. Fair enough. 11:08:02  And going back to the RiskMAP 11:08:02 and trying to understand, as you described, 11:08:09 the path of a drug that a manufacturer 11:08:12 produced, forward, as you said, do you recall 11:08:20 at a certain point in time creating a RiskMAP 11:08:25 for oxycodone 30? 11:08:31  A. I do not. 11:08:32

	Page 126		Page 128
1	report in to the it was called the patient 11:08:41	1	Now, in addition to an actual 11:10:48
2	and product monitoring group. It was 11:08:44	2	cost, a business and corporate cost, would 11:10:52
3	specific to fentanyl in the beginning, but I 11:08:50	3	you agree with me that the cost of 11:10:54
4	don't I don't know to which other products 11:08:53	4	noncompliance is actually overdose deaths? 11:10:55
5	it may have expanded, but we did annual 11:08:55	5	MR. O'CONNOR: Objection to 11:11:00
6	reporting to that group. 11:08:57	6	form. 11:11:01
7	Q. Sure. Okay. 11:08:58	7	QUESTIONS BY MR. KO: 11:11:02
8	You didn't have any specific 11:09:00	8	Q. In other words, there's a human 11:11:02
9	responsibility with respect to that RiskMAP 11:09:02	9	cost of noncompliance, is there not? 11:11:04
10	report that you may have done for the FDA, 11:09:05	10	MR. O'CONNOR: Objection to 11:11:06
11	correct? 11:09:08	11	form. 11:11:06
12	A. So we had responsibility for 11:09:08	12	THE WITNESS: There is a human 11:11:07
13	reporting any thefts or losses of these 11:09:11	13	cost based upon the diversion of 11:11:10
14	specific drugs, but it was an internal 11:09:13	14	prescription opioids, yes. 11:11:14
15	reporting to the patient and product 11:09:16	15	QUESTIONS BY MR. KO: 11:11:16
16	monitoring group who assembled a whole large 11:09:17	16	Q. And that human cost is 11:11:16
17	report consisting of other information for 11:09:21	17	manifested in either mortality or morbidity 11:11:17
18	the FDA. 11:09:24	18	in the form of more people addicted to 11:11:21
19	Q. Okay. I understand. 11:09:25	19	opioids. Would you agree with me on that? 11:11:24
20	And did you have any a 11:09:26	20	MR. O'CONNOR: Objection to 11:11:25
21	specific involvement with that? 11:09:29	21	form. 11:11:26
22	A. Only to the extent if we 11:09:30	22	THE WITNESS: Correct. Yes. 11:11:26
23	they contacted us once a year and asked if we 11:09:32	23	Sorry. 11:11:27
24	had any recorded thefts or losses, DEA 106 11:09:35	24	QUESTIONS BY MR. KO: 11:11:27
25	forms, for those drug products. 11:09:41	25	Q. So in addition to the costs of 11:11:28
	Dogo 127		Page 120
1	Page 127	1	Page 129
1	Q. Okay. If you turn to page 18 11:09:42	1	noncompliance here that you list, a real and 11:11:30
2	Q. Okay. If you turn to page 18 11:09:42 of this deck, and there's a reference made to 11:09:52	2	noncompliance here that you list, a real and 11:11:30 tangible cost of noncompliance is are the 11:11:35
2 3	Q. Okay. If you turn to page 18 11:09:42 of this deck, and there's a reference made to 11:09:52 the cost of noncompliance. 11:10:02	2 3	noncompliance here that you list, a real and 11:11:30 tangible cost of noncompliance is are the 11:11:35 amount of lives affected by the abuse and 11:11:38
2 3 4	Q. Okay. If you turn to page 18 11:09:42 of this deck, and there's a reference made to 11:09:52 the cost of noncompliance. 11:10:02 Do you see that? 11:10:03	2 3 4	noncompliance here that you list, a real and 11:11:30 tangible cost of noncompliance is are the 11:11:35 amount of lives affected by the abuse and diversion of prescription opioids, correct? 11:11:41
2 3 4 5	Q. Okay. If you turn to page 18 11:09:42 of this deck, and there's a reference made to 11:09:52 the cost of noncompliance. 11:10:02 Do you see that? 11:10:03 A. I do see it. 11:10:04	2 3 4 5	noncompliance here that you list, a real and 11:11:30 tangible cost of noncompliance is are the 11:11:35 amount of lives affected by the abuse and 11:11:38 diversion of prescription opioids, correct? 11:11:41 MR. O'CONNOR: Objection to 11:11:42
2 3 4 5 6	Q. Okay. If you turn to page 18 11:09:42 of this deck, and there's a reference made to 11:09:52 the cost of noncompliance. 11:10:02 Do you see that? 11:10:03 A. I do see it. 11:10:04 Q. And by the way, do you have any 11:10:05	2 3 4 5 6	noncompliance here that you list, a real and 11:11:30 tangible cost of noncompliance is are the 11:11:35 amount of lives affected by the abuse and 11:11:38 diversion of prescription opioids, correct? 11:11:41 MR. O'CONNOR: Objection to 11:11:42 form. 11:11:44
2 3 4 5 6 7	Q. Okay. If you turn to page 18 11:09:42 of this deck, and there's a reference made to 11:09:52 the cost of noncompliance. 11:10:02 Do you see that? 11:10:03 A. I do see it. 11:10:04 Q. And by the way, do you have any 11:10:05 reason to doubt that this was a presentation 11:10:07	2 3 4 5 6 7	noncompliance here that you list, a real and 11:11:30 tangible cost of noncompliance is are the 11:11:35 amount of lives affected by the abuse and 11:11:38 diversion of prescription opioids, correct? 11:11:41 MR. O'CONNOR: Objection to 11:11:42 form. 11:11:44 THE WITNESS: I agree, yes. 11:11:44
2 3 4 5 6 7 8	Q. Okay. If you turn to page 18 11:09:42 of this deck, and there's a reference made to 11:09:52 the cost of noncompliance. 11:10:02 Do you see that? 11:10:03 A. I do see it. 11:10:04 Q. And by the way, do you have any 11:10:05 reason to doubt that this was a presentation 11:10:07 you made, or do you think that someone else 11:10:08	2 3 4 5 6 7 8	noncompliance here that you list, a real and 11:11:30 tangible cost of noncompliance is are the 11:11:35 amount of lives affected by the abuse and 11:11:38 diversion of prescription opioids, correct? 11:11:41 MR. O'CONNOR: Objection to 11:11:42 form. 11:11:44 THE WITNESS: I agree, yes. 11:11:44 QUESTIONS BY MR. KO: 11:11:45
2 3 4 5 6 7 8	Q. Okay. If you turn to page 18 11:09:42 of this deck, and there's a reference made to 11:09:52 the cost of noncompliance. 11:10:02  Do you see that? 11:10:03  A. I do see it. 11:10:04  Q. And by the way, do you have any 11:10:05 reason to doubt that this was a presentation 11:10:07 you made, or do you think that someone else 11:10:08 made this presentation? 11:10:11	2 3 4 5 6 7 8	noncompliance here that you list, a real and 11:11:30 tangible cost of noncompliance is are the 11:11:35 amount of lives affected by the abuse and 11:11:38 diversion of prescription opioids, correct? 11:11:41 MR. O'CONNOR: Objection to 11:11:42 form. 11:11:44  THE WITNESS: I agree, yes. 11:11:44  QUESTIONS BY MR. KO: 11:11:45  Q. Okay. And as we discussed 11:11:45
2 3 4 5 6 7 8 9	Q. Okay. If you turn to page 18 11:09:42 of this deck, and there's a reference made to 11:09:52 the cost of noncompliance. 11:10:02 Do you see that? 11:10:03 A. I do see it. 11:10:04 Q. And by the way, do you have any 11:10:05 reason to doubt that this was a presentation 11:10:07 you made, or do you think that someone else 11:10:08 made this presentation? 11:10:11 A. I have no reason to doubt I 11:10:12	2 3 4 5 6 7 8 9	noncompliance here that you list, a real and 11:11:30 tangible cost of noncompliance is are the 11:11:35 amount of lives affected by the abuse and 11:11:38 diversion of prescription opioids, correct? 11:11:41 MR. O'CONNOR: Objection to 11:11:42 form. 11:11:44 THE WITNESS: I agree, yes. 11:11:44 QUESTIONS BY MR. KO: 11:11:45 Q. Okay. And as we discussed 11:11:45 before, many, if not all, of the complaints 11:11:49
2 3 4 5 6 7 8	Q. Okay. If you turn to page 18 11:09:42 of this deck, and there's a reference made to 11:09:52 the cost of noncompliance. 11:10:02 Do you see that? 11:10:03 A. I do see it. 11:10:04 Q. And by the way, do you have any 11:10:05 reason to doubt that this was a presentation 11:10:07 you made, or do you think that someone else 11:10:08 made this presentation? 11:10:11 A. I have no reason to doubt I 11:10:12 I did make the presentation. 11:10:14	2 3 4 5 6 7 8 9 10	noncompliance here that you list, a real and 11:11:30 tangible cost of noncompliance is are the 11:11:35 amount of lives affected by the abuse and 11:11:38 diversion of prescription opioids, correct? 11:11:41 MR. O'CONNOR: Objection to 11:11:42 form. 11:11:44 THE WITNESS: I agree, yes. 11:11:44 QUESTIONS BY MR. KO: 11:11:45 Q. Okay. And as we discussed 11:11:45 before, many, if not all, of the complaints 11:11:49 that have been filed against various entities 11:11:55
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2 3 4 5 6 7 8 9 10	Q. Okay. If you turn to page 18 11:09:42 of this deck, and there's a reference made to 11:09:52 the cost of noncompliance. 11:10:02 Do you see that? 11:10:03 A. I do see it. 11:10:04 Q. And by the way, do you have any 11:10:05 reason to doubt that this was a presentation 11:10:07 you made, or do you think that someone else 11:10:08 made this presentation? 11:10:11 A. I have no reason to doubt I 11:10:12 I did make the presentation. 11:10:14 Q. You did make this presentation? 11:10:15 A. Yeah. 11:10:16	2 3 4 5 6 7 8 9 10	noncompliance here that you list, a real and 11:11:30 tangible cost of noncompliance is are the 11:11:35 amount of lives affected by the abuse and 11:11:38 diversion of prescription opioids, correct? 11:11:41  MR. O'CONNOR: Objection to 11:11:42 form. 11:11:44  THE WITNESS: I agree, yes. 11:11:44 QUESTIONS BY MR. KO: 11:11:45 Q. Okay. And as we discussed 11:11:45 before, many, if not all, of the complaints 11:11:49 that have been filed against various entities 11:11:55 involved in the supply chain of prescription 11:11:59 opioids allege that state and local 11:12:01
2 3 4 5 6 7 8 9 10 11 12 13	Q. Okay. If you turn to page 18 11:09:42 of this deck, and there's a reference made to 11:09:52 the cost of noncompliance. 11:10:02 Do you see that? 11:10:03 A. I do see it. 11:10:04 Q. And by the way, do you have any 11:10:05 reason to doubt that this was a presentation 11:10:07 you made, or do you think that someone else 11:10:08 made this presentation? 11:10:11 A. I have no reason to doubt I 11:10:12 I did make the presentation. 11:10:14 Q. You did make this presentation? 11:10:15 A. Yeah. 11:10:16 Q. Okay. So here you're 11:10:16	2 3 4 5 6 7 8 9 10 11 12 13	noncompliance here that you list, a real and 11:11:30 tangible cost of noncompliance is are the 11:11:35 amount of lives affected by the abuse and 11:11:38 diversion of prescription opioids, correct? 11:11:41 MR. O'CONNOR: Objection to 11:11:42 form. 11:11:44 THE WITNESS: I agree, yes. 11:11:44 QUESTIONS BY MR. KO: 11:11:45 Q. Okay. And as we discussed 11:11:45 before, many, if not all, of the complaints 11:11:49 that have been filed against various entities 11:11:55 involved in the supply chain of prescription 11:11:59 opioids allege that state and local 11:12:01 governments have had to incur the burden of 11:12:09
2 3 4 5 6 7 8 9 10 11 12 13 14	Q. Okay. If you turn to page 18 11:09:42 of this deck, and there's a reference made to 11:09:52 the cost of noncompliance. 11:10:02 Do you see that? 11:10:03 A. I do see it. 11:10:04 Q. And by the way, do you have any 11:10:05 reason to doubt that this was a presentation 11:10:07 you made, or do you think that someone else 11:10:08 made this presentation? 11:10:11 A. I have no reason to doubt I 11:10:12 I did make the presentation. 11:10:14 Q. You did make this presentation? 11:10:15 A. Yeah. 11:10:16 Q. Okay. So here you're 11:10:16 describing the cost of noncompliance, and in 11:10:18	2 3 4 5 6 7 8 9 10 11 12 13	noncompliance here that you list, a real and 11:11:30 tangible cost of noncompliance is are the 11:11:35 amount of lives affected by the abuse and 11:11:38 diversion of prescription opioids, correct? 11:11:41 MR. O'CONNOR: Objection to 11:11:42 form. 11:11:44  THE WITNESS: I agree, yes. 11:11:44  QUESTIONS BY MR. KO: 11:11:45  Q. Okay. And as we discussed 11:11:45 before, many, if not all, of the complaints 11:11:49 that have been filed against various entities 11:11:55 involved in the supply chain of prescription 11:11:59 opioids allege that state and local 11:12:01 governments have had to incur the burden of 11:12:09 responding to the overdose rates and 11:12:12
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q. Okay. If you turn to page 18 11:09:42 of this deck, and there's a reference made to 11:09:52 the cost of noncompliance. 11:10:02 Do you see that? 11:10:03 A. I do see it. 11:10:04 Q. And by the way, do you have any 11:10:05 reason to doubt that this was a presentation 11:10:07 you made, or do you think that someone else 11:10:08 made this presentation? 11:10:11 A. I have no reason to doubt I 11:10:12 I did make the presentation. 11:10:14 Q. You did make this presentation? 11:10:15 A. Yeah. 11:10:16 Q. Okay. So here you're 11:10:16 describing the cost of noncompliance, and in 11:10:22	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	noncompliance here that you list, a real and 11:11:30 tangible cost of noncompliance is are the 11:11:35 amount of lives affected by the abuse and 11:11:38 diversion of prescription opioids, correct? 11:11:41 MR. O'CONNOR: Objection to 11:11:42 form. 11:11:44  THE WITNESS: I agree, yes. 11:11:44  QUESTIONS BY MR. KO: 11:11:45  Q. Okay. And as we discussed 11:11:45 before, many, if not all, of the complaints 11:11:49 that have been filed against various entities 11:11:55 involved in the supply chain of prescription 11:11:59 opioids allege that state and local 11:12:01 governments have had to incur the burden of 11:12:09 responding to the overdose rates and 11:12:12 morbidity rates that have been caused as a 11:12:16
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Okay. If you turn to page 18 11:09:42 of this deck, and there's a reference made to 11:09:52 the cost of noncompliance. 11:10:02 Do you see that? 11:10:03 A. I do see it. 11:10:04 Q. And by the way, do you have any 11:10:05 reason to doubt that this was a presentation 11:10:07 you made, or do you think that someone else 11:10:08 made this presentation? 11:10:11 A. I have no reason to doubt I 11:10:12 I did make the presentation. 11:10:14 Q. You did make this presentation? 11:10:15 A. Yeah. 11:10:16 Q. Okay. So here you're 11:10:16 describing the cost of noncompliance, and in 11:10:18 particular the cost of noncompliance with the 11:10:22 CSA; is that fair to say? 11:10:24	2 3 4 5 6 7 8 9 10 11 12 13 14	noncompliance here that you list, a real and 11:11:30 tangible cost of noncompliance is are the 11:11:35 amount of lives affected by the abuse and 11:11:38 diversion of prescription opioids, correct? 11:11:41 MR. O'CONNOR: Objection to 11:11:42 form. 11:11:44  THE WITNESS: I agree, yes. 11:11:44  QUESTIONS BY MR. KO: 11:11:45  Q. Okay. And as we discussed 11:11:45  before, many, if not all, of the complaints 11:11:49 that have been filed against various entities 11:11:55 involved in the supply chain of prescription 11:11:59 opioids allege that state and local 11:12:01 governments have had to incur the burden of 11:12:09 responding to the overdose rates and 11:12:12 morbidity rates that have been caused as a 11:12:16 result of the opioid crisis? 11:12:19
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q. Okay. If you turn to page 18 11:09:42 of this deck, and there's a reference made to 11:09:52 the cost of noncompliance. 11:10:02 Do you see that? 11:10:03 A. I do see it. 11:10:04 Q. And by the way, do you have any 11:10:05 reason to doubt that this was a presentation 11:10:07 you made, or do you think that someone else 11:10:08 made this presentation? 11:10:11 A. I have no reason to doubt I 11:10:12 I did make the presentation. 11:10:14 Q. You did make this presentation? 11:10:15 A. Yeah. 11:10:16 Q. Okay. So here you're 11:10:16 describing the cost of noncompliance, and in 11:10:18 particular the cost of noncompliance with the 11:10:22 CSA; is that fair to say? 11:10:25	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	noncompliance here that you list, a real and 11:11:30 tangible cost of noncompliance is are the 11:11:35 amount of lives affected by the abuse and 11:11:38 diversion of prescription opioids, correct? 11:11:41 MR. O'CONNOR: Objection to 11:11:42 form. 11:11:44  THE WITNESS: I agree, yes. 11:11:44  QUESTIONS BY MR. KO: 11:11:45  Q. Okay. And as we discussed 11:11:45  before, many, if not all, of the complaints 11:11:49 that have been filed against various entities 11:11:55 involved in the supply chain of prescription 11:11:59 opioids allege that state and local 11:12:01 governments have had to incur the burden of 11:12:09 responding to the overdose rates and 11:12:12 morbidity rates that have been caused as a 11:12:16 result of the opioid crisis? 11:12:19  MR. O'CONNOR: Objection to 11:12:23
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. Okay. If you turn to page 18 11:09:42 of this deck, and there's a reference made to 11:09:52 the cost of noncompliance. 11:10:02 Do you see that? 11:10:03 A. I do see it. 11:10:04 Q. And by the way, do you have any 11:10:05 reason to doubt that this was a presentation 11:10:07 you made, or do you think that someone else 11:10:08 made this presentation? 11:10:11 A. I have no reason to doubt I 11:10:12 I did make the presentation. 11:10:14 Q. You did make this presentation? 11:10:15 A. Yeah. 11:10:16 Q. Okay. So here you're 11:10:16 describing the cost of noncompliance, and in 11:10:18 particular the cost of noncompliance with the 11:10:22 CSA; is that fair to say? 11:10:25 Q. Okay. And you are talking 11:10:25	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	noncompliance here that you list, a real and 11:11:30 tangible cost of noncompliance is are the 11:11:35 amount of lives affected by the abuse and 11:11:38 diversion of prescription opioids, correct? 11:11:41 MR. O'CONNOR: Objection to 11:11:42 form. 11:11:44 THE WITNESS: I agree, yes. 11:11:44 QUESTIONS BY MR. KO: 11:11:45 Q. Okay. And as we discussed 11:11:45 before, many, if not all, of the complaints 11:11:49 that have been filed against various entities 11:11:55 involved in the supply chain of prescription 11:11:59 opioids allege that state and local 11:12:01 governments have had to incur the burden of 11:12:09 responding to the overdose rates and 11:12:12 morbidity rates that have been caused as a 11:12:16 result of the opioid crisis? 11:12:19 MR. O'CONNOR: Objection to 11:12:23 form. 11:12:24
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. Okay. If you turn to page 18 11:09:42 of this deck, and there's a reference made to 11:09:52 the cost of noncompliance. 11:10:02 Do you see that? 11:10:03 A. I do see it. 11:10:04 Q. And by the way, do you have any 11:10:05 reason to doubt that this was a presentation 11:10:07 you made, or do you think that someone else 11:10:08 made this presentation? 11:10:11 A. I have no reason to doubt I 11:10:12 I did make the presentation. 11:10:14 Q. You did make this presentation? 11:10:15 A. Yeah. 11:10:16 Q. Okay. So here you're 11:10:16 describing the cost of noncompliance, and in 11:10:18 particular the cost of noncompliance with the 11:10:22 CSA; is that fair to say? 11:10:25 Q. Okay. And you are talking 11:10:25 about, I think, other fines paid by other 11:10:27	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	noncompliance here that you list, a real and 11:11:30 tangible cost of noncompliance is are the 11:11:35 amount of lives affected by the abuse and 11:11:38 diversion of prescription opioids, correct? 11:11:41 MR. O'CONNOR: Objection to 11:11:42 form. 11:11:44 THE WITNESS: I agree, yes. 11:11:44 QUESTIONS BY MR. KO: 11:11:45 Q. Okay. And as we discussed 11:11:45 before, many, if not all, of the complaints 11:11:49 that have been filed against various entities 11:11:55 involved in the supply chain of prescription 11:11:59 opioids allege that state and local 11:12:01 governments have had to incur the burden of 11:12:09 responding to the overdose rates and 11:12:12 morbidity rates that have been caused as a 11:12:16 result of the opioid crisis? 11:12:19 MR. O'CONNOR: Objection to 11:12:23 form. 11:12:24 THE WITNESS: Yes, that is the 11:12:24
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Okay. If you turn to page 18 11:09:42 of this deck, and there's a reference made to 11:09:52 the cost of noncompliance. 11:10:02 Do you see that? 11:10:03 A. I do see it. 11:10:04 Q. And by the way, do you have any 11:10:05 reason to doubt that this was a presentation 11:10:07 you made, or do you think that someone else 11:10:08 made this presentation? 11:10:11 A. I have no reason to doubt I 11:10:12 I did make the presentation. 11:10:14 Q. You did make this presentation? 11:10:15 A. Yeah. 11:10:16 Q. Okay. So here you're 11:10:16 describing the cost of noncompliance, and in 11:10:18 particular the cost of noncompliance with the 11:10:22 CSA; is that fair to say? 11:10:25 Q. Okay. And you are talking 11:10:25 about, I think, other fines paid by other 11:10:27 pharmacies and other entities and registrants 11:10:32	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	noncompliance here that you list, a real and tangible cost of noncompliance is are the another tangible cost of another tangible
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. Okay. If you turn to page 18 11:09:42 of this deck, and there's a reference made to 11:09:52 the cost of noncompliance. 11:10:03 A. I do see it. 11:10:04 Q. And by the way, do you have any 11:10:05 reason to doubt that this was a presentation 11:10:07 you made, or do you think that someone else 11:10:08 made this presentation? 11:10:11 A. I have no reason to doubt I 11:10:12 I did make the presentation. 11:10:14 Q. You did make this presentation? 11:10:15 A. Yeah. 11:10:16 Q. Okay. So here you're 11:10:16 describing the cost of noncompliance, and in 11:10:18 particular the cost of noncompliance with the 11:10:22 CSA; is that fair to say? 11:10:25 Q. Okay. And you are talking 11:10:25 about, I think, other fines paid by other 11:10:32 of the CSA, correct? 11:10:36	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	noncompliance here that you list, a real and 11:11:30 tangible cost of noncompliance is are the 11:11:35 amount of lives affected by the abuse and 11:11:38 diversion of prescription opioids, correct? 11:11:41 MR. O'CONNOR: Objection to 11:11:42 form. 11:11:44 THE WITNESS: I agree, yes. 11:11:44 QUESTIONS BY MR. KO: 11:11:45 Q. Okay. And as we discussed 11:11:45 before, many, if not all, of the complaints 11:11:49 that have been filed against various entities 11:11:55 involved in the supply chain of prescription 11:11:59 opioids allege that state and local 11:12:01 governments have had to incur the burden of 11:12:09 responding to the overdose rates and 11:12:12 morbidity rates that have been caused as a 11:12:16 result of the opioid crisis? 11:12:19 MR. O'CONNOR: Objection to 11:12:23 form. 11:12:24 THE WITNESS: Yes, that is the 11:12:25 yes. 11:12:26
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Okay. If you turn to page 18 11:09:42 of this deck, and there's a reference made to 11:09:52 the cost of noncompliance. 11:10:02 Do you see that? 11:10:03 A. I do see it. 11:10:04 Q. And by the way, do you have any 11:10:05 reason to doubt that this was a presentation 11:10:07 you made, or do you think that someone else 11:10:08 made this presentation? 11:10:11 A. I have no reason to doubt I 11:10:12 I did make the presentation. 11:10:14 Q. You did make this presentation? 11:10:15 A. Yeah. 11:10:16 Q. Okay. So here you're 11:10:16 describing the cost of noncompliance, and in 11:10:18 particular the cost of noncompliance with the 11:10:22 CSA; is that fair to say? 11:10:24 A. Yes. 11:10:25 Q. Okay. And you are talking 11:10:25 about, I think, other fines paid by other 11:10:32 of the CSA, correct? 11:10:36 A. Well, this one is specific to a 11:10:37	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	noncompliance here that you list, a real and tangible cost of noncompliance is are the amount of lives affected by the abuse and diversion of prescription opioids, correct? 11:11:41  MR. O'CONNOR: Objection to 11:11:42  form. 11:11:44  THE WITNESS: I agree, yes. 11:11:44  QUESTIONS BY MR. KO: 11:11:45  Q. Okay. And as we discussed 11:11:45  before, many, if not all, of the complaints 11:11:49 that have been filed against various entities 11:11:55 involved in the supply chain of prescription 11:11:59 opioids allege that state and local 11:12:01 governments have had to incur the burden of 11:12:09 responding to the overdose rates and 11:12:12 morbidity rates that have been caused as a 11:12:16 result of the opioid crisis? 11:12:19  MR. O'CONNOR: Objection to 11:12:23 form. 11:12:24  THE WITNESS: Yes, that is the 11:12:24 information that has been reported, 11:12:25 yes. 11:12:26  QUESTIONS BY MR. KO: 11:12:26
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Okay. If you turn to page 18 11:09:42 of this deck, and there's a reference made to 11:09:52 the cost of noncompliance. 11:10:03 A. I do see it. 11:10:04 Q. And by the way, do you have any 11:10:05 reason to doubt that this was a presentation 11:10:07 you made, or do you think that someone else 11:10:08 made this presentation? 11:10:11 A. I have no reason to doubt I 11:10:12 I did make the presentation. 11:10:14 Q. You did make this presentation? 11:10:15 A. Yeah. 11:10:16 Q. Okay. So here you're 11:10:16 describing the cost of noncompliance, and in 11:10:18 particular the cost of noncompliance with the 11:10:22 CSA; is that fair to say? 11:10:25 Q. Okay. And you are talking 11:10:25 about, I think, other fines paid by other 11:10:32 of the CSA, correct? 11:10:36	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	noncompliance here that you list, a real and 11:11:30 tangible cost of noncompliance is are the 11:11:35 amount of lives affected by the abuse and 11:11:38 diversion of prescription opioids, correct? 11:11:41 MR. O'CONNOR: Objection to 11:11:42 form. 11:11:44 THE WITNESS: I agree, yes. 11:11:44 QUESTIONS BY MR. KO: 11:11:45 Q. Okay. And as we discussed 11:11:45 before, many, if not all, of the complaints 11:11:49 that have been filed against various entities 11:11:59 opioids allege that state and local 11:12:01 governments have had to incur the burden of 11:12:09 responding to the overdose rates and 11:12:12 morbidity rates that have been caused as a 11:12:16 result of the opioid crisis? 11:12:19 MR. O'CONNOR: Objection to 11:12:23 form. 11:12:24 THE WITNESS: Yes, that is the 11:12:25 yes. 11:12:26 QUESTIONS BY MR. KO: 11:12:26

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	Page 130		Page 132
1	reported, is that consistent with your 11:12:29	1	presentation, but the e-mail indicates it was 11:14:20
2	understanding? Do you believe that to be the 11:12:31	2	provided to Michael Santowski for training of 11:14:24
3	case? 11:12:32	3	the executive committee. So that was a level 11:14:28
4	MR. O'CONNOR: Objection to 11:12:32	4	I didn't that was senior executives within 11:14:31
5	form. 11:12:33	5	the organization. 11:14:32
6	THE WITNESS: I don't have 11:12:33	6	Q. I see. That's very helpful. 11:14:33
7	firsthand knowledge of the costs, but 11:12:36	7	So you didn't actual present 11:14:35
8	I have no reason to doubt that 11:12:39	8	this deck to the executive committee? 11:14:37
9	reporting. 11:12:40	9	A. I have a number of slides that 11:14:38
10	QUESTIONS BY MR. KO: 11:12:41	10	I pull in and out of presentations as 11:14:42
11	Q. Okay. By the way, do you 11:12:46	11	appropriate for the audience. So I'm certain 11:14:44
12	know do you personally know anyone 11:12:47	12	I presented variations of these slides to 11:14:47
13	impacted by the opioid crisis? 11:12:49	13	different audiences, but I did not present 11:14:50
14	A. I do not. 11:12:52	14	this deck to the executive committee. 11:14:52
15	Q. You're lucky. 11:12:54	15	Q. Okay. That's helpful. 11:14:55
16	A. I know. I know that. 11:12:55	16	But you created the deck for 11:14:56
17	(Mallinckrodt-Harper Exhibit 3 11:13:05	17	Mr. Santowski, if I understand correctly? 11:14:58
18	marked for identification.) 11:13:05	18	A. Yes. 11:15:00
19	QUESTIONS BY MR. KO: 11:12:57	19	Q. Okay. I want to turn to page 4 11:15:01
20	Q. I want to turn to the next 11:12:57	20	of this deck. And here we have some of the 11:15:07
21	exhibit, which will be marked as Harper 11:13:03	21	regulations that interpret the CSA. 11:15:19
22	Exhibit 3. 11:13:05	22	Do you see that? 11:15:21
23	For the record, this is ending 11:13:11	23	A. I think that's verbatim, but, 11:15:22
24	in Bates stamp 283074. 11:13:13	24	yes, yes. Not an interpretation, but the 11:15:29
25	And it is an e-mail dated 11:13:24	25	statements in the Code of Federal 11:15:32
	Page 131		Page 133
1	April 12, 2011, from you to Michael 11:13:26	1	Regulations. 11:15:35
2	Santowski. 11:13:31	2	Q. Okay. Great. Thank you for 11:15:35
3	Who is Michael Santowski? 11:13:32	3	that clarification. 11:15:36
4	A. He was the gentleman to whom I 11:13:35	4	So these are statements that 11:15:37
5	reported at the time. 11:13:38	5	actually appear in the regulations as 11:15:39
6	Q. Okay. And he was was he 11:13:38	6	codified by 21 CFR 1301.74, correct? 11:15:42
7	part of the controlled substance compliance 11:13:42	7	MR. O'CONNOR: Objection to 11:15:47
8	team? 11:13:43	8	form. 11:15:47
9	A. We reported to him, so he had 11:13:44	9	THE WITNESS: Yes. 11:15:47
10	oversight for several groups, including ours, 11:13:49	10	QUESTIONS BY MR. KO: 11:15:48
11	yes. 11:13:52	11	Q. Okay. And we have previously 11:15:48
12	Q. I see. 11:13:52	12	discussed Mallinckrodt's responsibilities 11:15:51
13	And now it appears that you've 11:13:53	13	with respect to suspicious orders, but I just 11:15:53
14	become the senior manager of the controlled 11:13:54	14	want to make sure. 11:15:56
15	substance compliance group. 11:13:56	15	You would agree that all the 11:15:57
16	Do you see that? 11:13:57	16	responsibilities and requirements set forth 11:16:00
17	A. Yes. 11:13:57	17	here are responsibilities that Mallinckrodt 11:16:02
18	Q. So at least as of April 12, 11:13:58	18	had, correct? 11:16:04
19	2011, you were the senior manager of the CSC? 11:14:00	19	MR. O'CONNOR: Objection to 11:16:06
20	A. I agree. 11:14:04	20	form. 11:16:07
21	Q. Okay. And this is another 11:14:05	21	THE WITNESS: Yes, correct. 11:16:07
22	presentation you made regarding the SOM 11:14:08 program at Mallinckrodt. 11:14:12	22	QUESTIONS BY MR. KO: 11:16:08 Q. Okay. And that includes a duty 11:16:08
24	Do you see that? 11:14:13	24	Q. Okay. And that includes a duty 11:16:08 to design and operate a suspicious order 11:16:11
	•		
ーフち	A So clearly I created the 11·14·14	125	identification system
25	A. So clearly I created the 11:14:14	25	identification system. 11:16:15

	Page 134		Page 136
1	Mallinckrodt had that duty, 11:16:17	1	have any recollection? 11:17:48
2	correct? 11:16:18	2	MR. O'CONNOR: Objection to 11:17:48
3	A. Yes. 11:16:18	3	form. 11:17:49
4	Q. And Mallinckrodt had a duty to 11:16:18	4	THE WITNESS: I'm fairly 11:17:49
5	require or Mallinckrodt had a duty to 11:16:24	5	certain that that was in one of the 11:17:51
6	report suspicious orders to the DEA when 11:16:26	6	guidance letters from DEA circa 2006, 11:17:56
7	discovered via a monitoring process, correct? 11:16:28	7	2007. 11:17:59
8	A. Yes. 11:16:31	8	QUESTIONS BY MR. KO: 11:18:00
9	Q. And Mallinckrodt had a duty 11:16:31	9	Q. Okay. And then finally, this 11:18:00
10	to had a duty to ensure that this 11:16:34	10	last bullet indicates that or you would 11:18:04
11	responsibility to report suspicious orders 11:16:38	11	agree with me that Mallinckrodt had a duty to 11:18:08
12	did not end merely with filing a suspicious 11:16:39	12	conduct an independent analysis of suspicious 11:18:10
13	order report; is that correct? 11:16:43	13	orders prior to completing a sale to 11:18:13
14	MR. O'CONNOR: Objection to 11:16:44	14	determine whether or not the controlled 11:18:14
15	form. 11:16:45	15	substances are likely to be diverted. 11:18:17
16	THE WITNESS: So the statement 11:16:45	16	MR. O'CONNOR: Objection to 11:18:19
17	is correct, but I I must I would 11:16:46	17	form. 11:18:19
18	like to clarify. 11:16:49	18	QUESTIONS BY MR. KO: 11:18:19
19	All these are not straight from 11:16:50	19	Q. Is that accurate? 11:18:19
20	CFR 21. Some of the statements, I 11:16:53	20	A. Yes. 11:18:20
21	believe, particularly the italicized 11:16:55	21	Q. Okay. Now, turning to the next 11:18:21
22	one at the bottom, may have been 11:16:58	22	page, here you put in this presentation the 11:18:30
23	culled from a DEA one of the DEA 11:17:01	23	number of people the number of registrants 11:18:36
24	guidance letters. 11:17:04	24	there are in the supply chain or the 11:18:39
25		25	number of registrants that are part of the 11:18:43
	Page 135		Page 137
1	QUESTIONS BY MR. KO: 11:17:04	1	CSA; is that correct? 11:18:44
2	Q. Okay. But regardless of where 11:17:05	2	A. As of that time, yes. 11:18:45
3	it came from, at least at the time of this 11:17:08	3	Q. Right, as of that time. 11:18:48
4	presentation, you believe that Mallinckrodt 11:17:10	4	A. Yes. 11:18:49
5	1 1 1		
-	had a duty to ensure that their suspicious 11:17:12	5	Q. And there's a specific quote 11:18:49
6	order responsibilities did not end merely 11:17:17	5	Q. And there's a specific quote 11:18:49 that you include in this presentation that 11:18:51
	*		that you include in this presentation that 11:18:51
6	order responsibilities did not end merely 11:17:17	6	that you include in this presentation that 11:18:51
6	order responsibilities did not end merely 11:17:17 with the filing of a suspicious order report; 11:17:18	6 7	that you include in this presentation that 11:18:51 says that "the DEA must rely on the states 11:18:53
6 7 8	order responsibilities did not end merely 11:17:17 with the filing of a suspicious order report; 11:17:18 is that correct? 11:17:21	6 7 8	that you include in this presentation that 11:18:51 says that "the DEA must rely on the states 11:18:53 and individual registrants to monitor." 11:18:56
6 7 8 9	order responsibilities did not end merely 11:17:17 with the filing of a suspicious order report; 11:17:18 is that correct? 11:17:21 MR. O'CONNOR: Objection to 11:17:21	6 7 8 9	that you include in this presentation that says that "the DEA must rely on the states and individual registrants to monitor." 11:18:56  Do you see that? 11:18:58
6 7 8 9 10	order responsibilities did not end merely 11:17:17 with the filing of a suspicious order report; 11:17:18 is that correct? 11:17:21  MR. O'CONNOR: Objection to 11:17:21 form. 11:17:22	6 7 8 9 10	that you include in this presentation that 11:18:51 says that "the DEA must rely on the states 11:18:53 and individual registrants to monitor." 11:18:56  Do you see that? 11:18:58  A. I do see that. 11:18:58
6 7 8 9 10	order responsibilities did not end merely 11:17:17 with the filing of a suspicious order report; 11:17:18 is that correct? 11:17:21 MR. O'CONNOR: Objection to 11:17:21 form. 11:17:22 THE WITNESS: Correct. 11:17:22	6 7 8 9 10 11	that you include in this presentation that says that "the DEA must rely on the states and individual registrants to monitor." 11:18:56  Do you see that? 11:18:58  A. I do see that. 11:18:58  Q. And the "individual 11:18:59
6 7 8 9 10 11 12	order responsibilities did not end merely 11:17:17 with the filing of a suspicious order report; 11:17:18 is that correct? 11:17:21 MR. O'CONNOR: Objection to 11:17:21 form. 11:17:22 THE WITNESS: Correct. 11:17:22 Correct. 11:17:22	6 7 8 9 10 11 12	that you include in this presentation that says that "the DEA must rely on the states and individual registrants to monitor." 11:18:56  Do you see that? 11:18:58  A. I do see that. 11:18:58  Q. And the "individual 11:18:59 registrants" obviously refers to entities 11:19:00
6 7 8 9 10 11 12	order responsibilities did not end merely 11:17:17 with the filing of a suspicious order report; 11:17:18 is that correct? 11:17:21  MR. O'CONNOR: Objection to 11:17:21 form. 11:17:22  THE WITNESS: Correct. 11:17:22  Correct. 11:17:22  QUESTIONS BY MR. KO: 11:17:23 Q. And Mallinckrodt also you 11:17:23 also understand that Mallinckrodt was not 11:17:26	6 7 8 9 10 11 12	that you include in this presentation that says that "the DEA must rely on the states and individual registrants to monitor." 11:18:56  Do you see that? 11:18:58  A. I do see that. 11:18:58  Q. And the "individual 11:18:59 registrants" obviously refers to entities 11:19:00 like Mallinckrodt? 11:19:03
6 7 8 9 10 11 12 13	order responsibilities did not end merely 11:17:17 with the filing of a suspicious order report; 11:17:18 is that correct? 11:17:21  MR. O'CONNOR: Objection to 11:17:21 form. 11:17:22  THE WITNESS: Correct. 11:17:22  Correct. 11:17:22  QUESTIONS BY MR. KO: 11:17:23 Q. And Mallinckrodt also you 11:17:23 also understand that Mallinckrodt was not 11:17:26 going to get any specific guidance from the 11:17:30	6 7 8 9 10 11 12 13	that you include in this presentation that says that "the DEA must rely on the states and individual registrants to monitor." 11:18:56  Do you see that? 11:18:58  A. I do see that. 11:18:58  Q. And the "individual 11:18:59 registrants" obviously refers to entities 11:19:00 like Mallinckrodt? 11:19:03  A. Correct. 11:19:04  Q. And so at least as of this 11:19:05 time, the date of this deck, you understood 11:19:07
6 7 8 9 10 11 12 13 14 15	order responsibilities did not end merely 11:17:17 with the filing of a suspicious order report; 11:17:18 is that correct? 11:17:21  MR. O'CONNOR: Objection to 11:17:21 form. 11:17:22  THE WITNESS: Correct. 11:17:22  Correct. 11:17:22  QUESTIONS BY MR. KO: 11:17:23  Q. And Mallinckrodt also you 11:17:23 also understand that Mallinckrodt was not 11:17:26 going to get any specific guidance from the 11:17:30 DEA at this time on whether or not their 11:17:33	6 7 8 9 10 11 12 13 14	that you include in this presentation that says that "the DEA must rely on the states and individual registrants to monitor." 11:18:56  Do you see that? 11:18:58  A. I do see that. 11:18:58  Q. And the "individual 11:18:59 registrants" obviously refers to entities 11:19:00 like Mallinckrodt? 11:19:03  A. Correct. 11:19:04  Q. And so at least as of this 11:19:05
6 7 8 9 10 11 12 13 14 15	order responsibilities did not end merely with the filing of a suspicious order report; 11:17:18 is that correct? 11:17:21  MR. O'CONNOR: Objection to 11:17:21 form. 11:17:22  THE WITNESS: Correct. 11:17:22  Correct. 11:17:22  QUESTIONS BY MR. KO: 11:17:23  Q. And Mallinckrodt also you 11:17:23  also understand that Mallinckrodt was not 11:17:26 going to get any specific guidance from the 11:17:30  DEA at this time on whether or not their 11:17:33  particular SOM program would be endorsed 11:17:37	6 7 8 9 10 11 12 13 14 15 16	that you include in this presentation that says that "the DEA must rely on the states and individual registrants to monitor."  Do you see that?  A. I do see that.  Q. And the "individual 11:18:59 registrants" obviously refers to entities 11:19:00 like Mallinckrodt?  A. Correct.  Q. And so at least as of this 11:19:05 time, the date of this deck, you understood that the DEA was not going to give you 11:19:10 specific guidance but was going to rely on 11:19:11
6 7 8 9 10 11 12 13 14 15 16	order responsibilities did not end merely with the filing of a suspicious order report; 11:17:18 is that correct? 11:17:21  MR. O'CONNOR: Objection to 11:17:21 form. 11:17:22  THE WITNESS: Correct. 11:17:22  Correct. 11:17:22  QUESTIONS BY MR. KO: 11:17:23  Q. And Mallinckrodt also you 11:17:23  also understand that Mallinckrodt was not 11:17:30  DEA at this time on whether or not their 11:17:33  particular SOM program would be endorsed 11:17:37  MR. O'CONNOR: Objection to 11:17:40	6 7 8 9 10 11 12 13 14 15 16 17	that you include in this presentation that says that "the DEA must rely on the states and individual registrants to monitor." 11:18:56  Do you see that? 11:18:58  A. I do see that. 11:18:58  Q. And the "individual 11:18:59 registrants" obviously refers to entities 11:19:00 like Mallinckrodt? 11:19:03  A. Correct. 11:19:04  Q. And so at least as of this 11:19:05 time, the date of this deck, you understood that the DEA was not going to give you 11:19:10 specific guidance but was going to rely on 11:19:11 registrants like Mallinckrodt to monitor 11:19:16
6 7 8 9 10 11 12 13 14 15 16 17	order responsibilities did not end merely with the filing of a suspicious order report; 11:17:18 is that correct? 11:17:21  MR. O'CONNOR: Objection to 11:17:21 form. 11:17:22  THE WITNESS: Correct. 11:17:22  Correct. 11:17:22  QUESTIONS BY MR. KO: 11:17:23  Q. And Mallinckrodt also you 11:17:23  also understand that Mallinckrodt was not 11:17:26 going to get any specific guidance from the 11:17:30  DEA at this time on whether or not their 11:17:33  particular SOM program would be endorsed 11:17:37  MR. O'CONNOR: Objection to 11:17:40  form. 11:17:41	6 7 8 9 10 11 12 13 14 15 16 17	that you include in this presentation that says that "the DEA must rely on the states and individual registrants to monitor."  Do you see that?  11:18:58  A. I do see that.  11:18:58  Q. And the "individual 11:18:59 registrants" obviously refers to entities 11:19:00 like Mallinckrodt?  11:19:03  A. Correct.  11:19:04  Q. And so at least as of this 11:19:05 time, the date of this deck, you understood 11:19:07 that the DEA was not going to give you 11:19:10 specific guidance but was going to rely on 11:19:11 registrants like Mallinckrodt to monitor 11:19:16 their controlled substances, correct?  11:19:18
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	order responsibilities did not end merely with the filing of a suspicious order report; 11:17:18 is that correct? 11:17:21  MR. O'CONNOR: Objection to 11:17:21 form. 11:17:22  THE WITNESS: Correct. 11:17:22  Correct. 11:17:22  QUESTIONS BY MR. KO: 11:17:23  also understand that Mallinckrodt was not going to get any specific guidance from the 11:17:30  DEA at this time on whether or not their 11:17:37  MR. O'CONNOR: Objection to 11:17:40  form. 11:17:41  QUESTIONS BY MR. KO: 11:17:41	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	that you include in this presentation that says that "the DEA must rely on the states and individual registrants to monitor."  Do you see that?  A. I do see that.  Q. And the "individual 11:18:59 registrants" obviously refers to entities 11:19:00 like Mallinckrodt?  A. Correct.  11:19:04  Q. And so at least as of this 11:19:05 time, the date of this deck, you understood that the DEA was not going to give you 11:19:10 specific guidance but was going to rely on 11:19:11 registrants like Mallinckrodt to monitor 11:19:16 their controlled substances, correct?  MR. O'CONNOR: Objection to 11:19:19
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	order responsibilities did not end merely with the filing of a suspicious order report; 11:17:18 is that correct? 11:17:21  MR. O'CONNOR: Objection to 11:17:21 form. 11:17:22  THE WITNESS: Correct. 11:17:22  COrrect. 11:17:22  QUESTIONS BY MR. KO: 11:17:23  also understand that Mallinckrodt was not 11:17:26 going to get any specific guidance from the 11:17:30  DEA at this time on whether or not their 11:17:37  MR. O'CONNOR: Objection to 11:17:40  form. 11:17:41  QUESTIONS BY MR. KO: 11:17:41	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	that you include in this presentation that says that "the DEA must rely on the states and individual registrants to monitor."  Do you see that?  11:18:58  A. I do see that.  11:18:58  Q. And the "individual 11:18:59 registrants" obviously refers to entities 11:19:00 like Mallinckrodt?  11:19:03  A. Correct.  11:19:04  Q. And so at least as of this 11:19:05 time, the date of this deck, you understood 11:19:10 specific guidance but was going to rely on 11:19:11 registrants like Mallinckrodt to monitor 11:19:16 their controlled substances, correct?  MR. O'CONNOR: Objection to 11:19:19 form.  11:19:20
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	order responsibilities did not end merely with the filing of a suspicious order report; 11:17:18 is that correct? 11:17:21  MR. O'CONNOR: Objection to 11:17:21 form. 11:17:22  THE WITNESS: Correct. 11:17:22  COrrect. 11:17:22  QUESTIONS BY MR. KO: 11:17:23  also understand that Mallinckrodt also you 11:17:26 going to get any specific guidance from the 11:17:30  DEA at this time on whether or not their 11:17:33  particular SOM program would be endorsed 11:17:37  MR. O'CONNOR: Objection to 11:17:40  form. 11:17:41  QUESTIONS BY MR. KO: 11:17:41  A. That's accurate? 11:17:42	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	that you include in this presentation that says that "the DEA must rely on the states and individual registrants to monitor."  Do you see that?  11:18:58  A. I do see that.  Q. And the "individual 11:18:59 registrants" obviously refers to entities 11:19:00 like Mallinckrodt?  A. Correct.  11:19:04  Q. And so at least as of this 11:19:05 time, the date of this deck, you understood 11:19:10 specific guidance but was going to rely on 11:19:10 registrants like Mallinckrodt to monitor 11:19:16 their controlled substances, correct?  MR. O'CONNOR: Objection to 11:19:19 form.  11:19:20  THE WITNESS: Correct.  11:19:20
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	order responsibilities did not end merely with the filing of a suspicious order report; 11:17:18 is that correct? 11:17:21  MR. O'CONNOR: Objection to 11:17:21 form. 11:17:22  THE WITNESS: Correct. 11:17:22  Correct. 11:17:22  QUESTIONS BY MR. KO: 11:17:23  also understand that Mallinckrodt also you 11:17:23  also understand that Mallinckrodt was not 11:17:26 going to get any specific guidance from the 11:17:30  DEA at this time on whether or not their 11:17:33  particular SOM program would be endorsed 11:17:37  MR. O'CONNOR: Objection to 11:17:40  form. 11:17:41  QUESTIONS BY MR. KO: 11:17:41  Q is that accurate? 11:17:42  Q. Okay. And when did you 11:17:43	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	that you include in this presentation that says that "the DEA must rely on the states and individual registrants to monitor." 11:18:56  Do you see that? 11:18:58  A. I do see that. 11:18:58  Q. And the "individual 11:18:59 registrants" obviously refers to entities 11:19:00 like Mallinckrodt? 11:19:03  A. Correct. 11:19:04  Q. And so at least as of this 11:19:05 time, the date of this deck, you understood that the DEA was not going to give you 11:19:10 specific guidance but was going to rely on registrants like Mallinckrodt to monitor 11:19:16 their controlled substances, correct? 11:19:18  MR. O'CONNOR: Objection to 11:19:19 form. 11:19:20  THE WITNESS: Correct. 11:19:20  QUESTIONS BY MR. KO: 11:19:21
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	Page 138		Page 140
1	page 7 of this particular report, and there's 11:19:29	1	MR. O'CONNOR: Objection to 11:21:09
2	a reference made to Florida. And I know we 11:19:36	2	form. 11:21:09
3	had spoken a little bit about problems in 11:19:39	3	THE WITNESS: So there are 11:21:09
4	Florida a moment ago, but on page 7 give 11:19:43	4	other manufacturers of oxycodone 11:21:13
5	you a moment to get there. 11:19:49	5	QUESTIONS BY MR. KO: 11:21:14
6	A. I'm sorry, the front and back 11:19:50	6	Q. I understand that. 11:21:14
7	is mixing me up. 11:19:52	7	A and this is not specific to 11:21:15
8	Q. Yeah. 11:19:53	8	Mallinckrodt oxycodone. 11:21:16
9	A. Okay. Thank you. I am at 11:19:53	9	Q. Okay. But Mallinckrodt 11:21:18
10	page 7. 11:19:55	10	manufactured oxy 15s and 30s in large 11:21:19
11	Q. Sure. 11:19:56	11	amounts, correct? 11:21:22
12	Page 7 gives some color to what 11:19:56	12	A. Mallinckrodt manufactured oxy 11:21:23
13	we were previously discussing about the 11:19:59	13	15s and 30s, and again, "large" is I don't 11:21:25
14	problem in Florida, and here you describe 11:20:01	14	have enough reference information relative to 11:21:28
15	that most, if not almost all, 98 percent, of 11:20:04	15	the other manufacturers' production to answer 11:21:31
16	all doctors dispensing oxycodone nationally 11:20:09	16	the question. 11:21:35
17	are in Florida. 11:20:12	17	Q. Well, let's talk about that 11:21:36
18	Do you see that? 11:20:12	18	then. The next the previous page, 11:21:40
19	A. I do. 11:20:13	19	actually, page 6, there's a description of 11:21:42
20	Q. So you were aware at the time 11:20:13	20	oxycodone market share of Mallinckrodt 11:21:45
21	of this presentation that there was a 11:20:16	21	relative to the rest of your competitors. 11:21:47
22	almost all of the or the top doctors 11:20:20	22	Do you see that? 11:21:50
23	dispensing oxycodone were in Florida, 11:20:23	23	A. I do see it. 11:21:51
24	correct? 11:20:25	24	Q. So at least as of Q4 of 2010, 11:21:53
25	MR. O'CONNOR: Objection to 11:20:26	25	it appears that Mallinckrodt has a 52 percent 11:21:59
	Till o controll objection to 11120120		in appears that it among the area percent.
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	Page 139		Page 141
1	form. 11:20:27	1	share of oxycodone in the nation; is that 11:22:02
1 2	form. 11:20:27 THE WITNESS: Yes. Accepting 11:20:27	2	share of oxycodone in the nation; is that 11:22:02 accurate? 11:22:08
	form. 11:20:27  THE WITNESS: Yes. Accepting 11:20:27 as factual this data published by the 11:20:32		share of oxycodone in the nation; is that 11:22:02 accurate? 11:22:08  MR. O'CONNOR: Object to form. 11:22:08
2	form. 11:20:27  THE WITNESS: Yes. Accepting 11:20:27 as factual this data published by the 11:20:32 Florida governor's office, yes. 11:20:35	2	share of oxycodone in the nation; is that 11:22:02 accurate? 11:22:08  MR. O'CONNOR: Object to form. 11:22:08 THE WITNESS: Yes. 11:22:09
2 3 4 5	form. 11:20:27  THE WITNESS: Yes. Accepting 11:20:27 as factual this data published by the 11:20:32 Florida governor's office, yes. 11:20:35  QUESTIONS BY MR. KO: 11:20:38	2 3 4 5	share of oxycodone in the nation; is that 11:22:02 accurate? 11:22:08  MR. O'CONNOR: Object to form. 11:22:08 THE WITNESS: Yes. 11:22:09 QUESTIONS BY MR. KO: 11:22:11
2 3 4	form. 11:20:27  THE WITNESS: Yes. Accepting 11:20:27 as factual this data published by the 11:20:32 Florida governor's office, yes. 11:20:35  QUESTIONS BY MR. KO: 11:20:38 Q. Right. And you had 11:20:38	2 3 4	share of oxycodone in the nation; is that 11:22:02 accurate? 11:22:08  MR. O'CONNOR: Object to form. 11:22:08  THE WITNESS: Yes. 11:22:09  QUESTIONS BY MR. KO: 11:22:11  Q. Okay. And then that rose 11:22:12
2 3 4 5	form. 11:20:27  THE WITNESS: Yes. Accepting 11:20:27 as factual this data published by the 11:20:32 Florida governor's office, yes. 11:20:35  QUESTIONS BY MR. KO: 11:20:38 Q. Right. And you had 11:20:38 knowledge or you understood there to be a 11:20:39	2 3 4 5	share of oxycodone in the nation; is that 11:22:02 accurate? 11:22:08  MR. O'CONNOR: Object to form. 11:22:08  THE WITNESS: Yes. 11:22:09  QUESTIONS BY MR. KO: 11:22:11  Q. Okay. And then that rose 11:22:12 slightly in Q1 of 2011 fiscal year 2011 to 11:22:16
2 3 4 5 6	form. 11:20:27  THE WITNESS: Yes. Accepting 11:20:27 as factual this data published by the 11:20:32 Florida governor's office, yes. 11:20:35  QUESTIONS BY MR. KO: 11:20:38 Q. Right. And you had 11:20:38 knowledge or you understood there to be a 11:20:39 big problem in Florida at this time 11:20:41	2 3 4 5 6	share of oxycodone in the nation; is that 11:22:02 accurate? 11:22:08  MR. O'CONNOR: Object to form. 11:22:08  THE WITNESS: Yes. 11:22:09  QUESTIONS BY MR. KO: 11:22:11  Q. Okay. And then that rose 11:22:12  slightly in Q1 of 2011 fiscal year 2011 to 11:22:16  56 percent. 11:22:19
2 3 4 5 6 7	form. 11:20:27  THE WITNESS: Yes. Accepting 11:20:27 as factual this data published by the 11:20:32 Florida governor's office, yes. 11:20:35  QUESTIONS BY MR. KO: 11:20:38 Q. Right. And you had 11:20:38 knowledge or you understood there to be a 11:20:39 big problem in Florida at this time 11:20:41 MR. O'CONNOR: Objection to 11:20:43	2 3 4 5 6 7	share of oxycodone in the nation; is that 11:22:02 accurate? 11:22:08  MR. O'CONNOR: Object to form. 11:22:08  THE WITNESS: Yes. 11:22:09  QUESTIONS BY MR. KO: 11:22:11  Q. Okay. And then that rose 11:22:12 slightly in Q1 of 2011 fiscal year 2011 to 11:22:16 56 percent. 11:22:19  Do you see that? 11:22:20
2 3 4 5 6 7 8	form. 11:20:27  THE WITNESS: Yes. Accepting 11:20:27 as factual this data published by the 11:20:32 Florida governor's office, yes. 11:20:35  QUESTIONS BY MR. KO: 11:20:38 Q. Right. And you had 11:20:38 knowledge or you understood there to be a 11:20:39 big problem in Florida at this time 11:20:41 MR. O'CONNOR: Objection to 11:20:43 form. 11:20:43	2 3 4 5 6 7 8	share of oxycodone in the nation; is that 11:22:02 accurate? 11:22:08  MR. O'CONNOR: Object to form. 11:22:08  THE WITNESS: Yes. 11:22:09  QUESTIONS BY MR. KO: 11:22:11  Q. Okay. And then that rose 11:22:12 slightly in Q1 of 2011 fiscal year 2011 to 11:22:16 56 percent. 11:22:19  Do you see that? 11:22:20  A. Yes, I do see that statistic, 11:22:23
2 3 4 5 6 7 8 9 10	form. 11:20:27  THE WITNESS: Yes. Accepting 11:20:27 as factual this data published by the 11:20:32 Florida governor's office, yes. 11:20:35  QUESTIONS BY MR. KO: 11:20:38 Q. Right. And you had 11:20:38 knowledge or you understood there to be a 11:20:39 big problem in Florida at this time 11:20:41 MR. O'CONNOR: Objection to 11:20:43 form. 11:20:43  QUESTIONS BY MR. KO: 11:20:43	2 3 4 5 6 7 8 9 10	share of oxycodone in the nation; is that 11:22:02 accurate? 11:22:08  MR. O'CONNOR: Object to form. 11:22:08  THE WITNESS: Yes. 11:22:09  QUESTIONS BY MR. KO: 11:22:11  Q. Okay. And then that rose 11:22:12 slightly in Q1 of 2011 fiscal year 2011 to 11:22:16 56 percent. 11:22:19  Do you see that? 11:22:20  A. Yes, I do see that statistic, 11:22:23 yes. 11:22:26
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2 3 4 5 6 7 8 9 10	form. 11:20:27  THE WITNESS: Yes. Accepting 11:20:27 as factual this data published by the 11:20:32 Florida governor's office, yes. 11:20:35  QUESTIONS BY MR. KO: 11:20:38 Q. Right. And you had 11:20:38 knowledge or you understood there to be a 11:20:39 big problem in Florida at this time 11:20:41 MR. O'CONNOR: Objection to 11:20:43 form. 11:20:43  QUESTIONS BY MR. KO: 11:20:43 Q with respect to prescription 11:20:43 opioids manufactured by Mallinckrodt, 11:20:45	2 3 4 5 6 7 8 9 10	share of oxycodone in the nation; is that 11:22:02 accurate? 11:22:08  MR. O'CONNOR: Object to form. 11:22:08  THE WITNESS: Yes. 11:22:09  QUESTIONS BY MR. KO: 11:22:11  Q. Okay. And then that rose 11:22:12 slightly in Q1 of 2011 fiscal year 2011 to 11:22:16 56 percent. 11:22:19  Do you see that? 11:22:20  A. Yes, I do see that statistic, 11:22:23 yes. 11:22:26  Q. All right. And so there and 11:22:26 none of Mallinckrodt's competitors are 11:22:27
2 3 4 5 6 7 8 9 10 11 12	form. 11:20:27  THE WITNESS: Yes. Accepting 11:20:27 as factual this data published by the 11:20:32 Florida governor's office, yes. 11:20:35  QUESTIONS BY MR. KO: 11:20:38 Q. Right. And you had 11:20:38 knowledge or you understood there to be a 11:20:39 big problem in Florida at this time 11:20:41 MR. O'CONNOR: Objection to 11:20:43 form. 11:20:43  QUESTIONS BY MR. KO: 11:20:43 Q with respect to prescription 11:20:43 opioids manufactured by Mallinckrodt, 11:20:45 correct? 11:20:46	2 3 4 5 6 7 8 9 10 11	share of oxycodone in the nation; is that accurate? 11:22:08  MR. O'CONNOR: Object to form. 11:22:08  THE WITNESS: Yes. 11:22:09  QUESTIONS BY MR. KO: 11:22:11  Q. Okay. And then that rose 11:22:12  slightly in Q1 of 2011 fiscal year 2011 to 11:22:16  56 percent. 11:22:19  Do you see that? 11:22:20  A. Yes, I do see that statistic, 11:22:23  yes. 11:22:26  Q. All right. And so there and 11:22:26  none of Mallinckrodt's competitors are 11:22:27  anywhere close to Mallinckrodt's market share 11:22:29
2 3 4 5 6 7 8 9 10 11 12 13	form. 11:20:27  THE WITNESS: Yes. Accepting 11:20:27 as factual this data published by the 11:20:32 Florida governor's office, yes. 11:20:35  QUESTIONS BY MR. KO: 11:20:38 Q. Right. And you had 11:20:38 knowledge or you understood there to be a 11:20:39 big problem in Florida at this time 11:20:41 MR. O'CONNOR: Objection to 11:20:43 form. 11:20:43  QUESTIONS BY MR. KO: 11:20:43  Q with respect to prescription 11:20:43 opioids manufactured by Mallinckrodt, 11:20:45 correct? 11:20:46 MR. O'CONNOR: Same objection. 11:20:46	2 3 4 5 6 7 8 9 10 11 12 13	share of oxycodone in the nation; is that 11:22:02 accurate? 11:22:08  MR. O'CONNOR: Object to form. 11:22:08  THE WITNESS: Yes. 11:22:09  QUESTIONS BY MR. KO: 11:22:11  Q. Okay. And then that rose 11:22:12 slightly in Q1 of 2011 fiscal year 2011 to 11:22:16 56 percent. 11:22:19  Do you see that? 11:22:20  A. Yes, I do see that statistic, 11:22:23 yes. 11:22:26  Q. All right. And so there and 11:22:26 none of Mallinckrodt's competitors are 11:22:27
2 3 4 5 6 7 8 9 10 11 12 13 14	form. 11:20:27  THE WITNESS: Yes. Accepting 11:20:27 as factual this data published by the 11:20:32 Florida governor's office, yes. 11:20:35  QUESTIONS BY MR. KO: 11:20:38 Q. Right. And you had 11:20:38 knowledge or you understood there to be a 11:20:39 big problem in Florida at this time 11:20:41 MR. O'CONNOR: Objection to 11:20:43 form. 11:20:43  QUESTIONS BY MR. KO: 11:20:43 QUESTIONS BY MR. KO: 11:20:43 opioids manufactured by Mallinckrodt, 11:20:45 correct? 11:20:46 MR. O'CONNOR: Same objection. 11:20:46 THE WITNESS: A problem, yes. 11:20:47	2 3 4 5 6 7 8 9 10 11 12 13 14	share of oxycodone in the nation; is that 11:22:02 accurate? 11:22:08  MR. O'CONNOR: Object to form. 11:22:08 THE WITNESS: Yes. 11:22:09 QUESTIONS BY MR. KO: 11:22:11 Q. Okay. And then that rose 11:22:12 slightly in Q1 of 2011 fiscal year 2011 to 11:22:16 56 percent. 11:22:19 Do you see that? 11:22:20 A. Yes, I do see that statistic, 11:22:23 yes. 11:22:26 Q. All right. And so there and 11:22:26 none of Mallinckrodt's competitors are 11:22:27 anywhere close to Mallinckrodt's market share 11:22:29 based on this table, correct? 11:22:32 A. Correct. 11:22:33
2 3 4 5 6 7 8 9 10 11 12 13 14 15	form. 11:20:27  THE WITNESS: Yes. Accepting 11:20:27 as factual this data published by the 11:20:32 Florida governor's office, yes. 11:20:35  QUESTIONS BY MR. KO: 11:20:38 Q. Right. And you had 11:20:38 knowledge or you understood there to be a 11:20:39 big problem in Florida at this time 11:20:41 MR. O'CONNOR: Objection to 11:20:43 form. 11:20:43  QUESTIONS BY MR. KO: 11:20:43 Q with respect to prescription 11:20:43 opioids manufactured by Mallinckrodt, 11:20:45 correct? 11:20:46 MR. O'CONNOR: Same objection. 11:20:47 The sorry. The adjective "big," 11:20:50	2 3 4 5 6 7 8 9 10 11 12 13 14	share of oxycodone in the nation; is that accurate? 11:22:08  MR. O'CONNOR: Object to form. 11:22:08  THE WITNESS: Yes. 11:22:09  QUESTIONS BY MR. KO: 11:22:11  Q. Okay. And then that rose 11:22:12  slightly in Q1 of 2011 fiscal year 2011 to 11:22:16  56 percent. 11:22:19  Do you see that? 11:22:20  A. Yes, I do see that statistic, 11:22:23  yes. 11:22:26  Q. All right. And so there and 11:22:26  none of Mallinckrodt's competitors are 11:22:27  anywhere close to Mallinckrodt's market share 11:22:29  based on this table, correct? 11:22:32  A. Correct. 11:22:33  Q. And in fact, as we just 11:22:35
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	form. 11:20:27  THE WITNESS: Yes. Accepting 11:20:27 as factual this data published by the 11:20:32 Florida governor's office, yes. 11:20:35  QUESTIONS BY MR. KO: 11:20:38 Q. Right. And you had 11:20:38 knowledge or you understood there to be a 11:20:39 big problem in Florida at this time 11:20:41 MR. O'CONNOR: Objection to 11:20:43 form. 11:20:43  QUESTIONS BY MR. KO: 11:20:43  Q with respect to prescription 11:20:43 opioids manufactured by Mallinckrodt, 11:20:45 correct? 11:20:46  MR. O'CONNOR: Same objection. 11:20:47 The sorry. The adjective "big," 11:20:50 again, is a relative term, but, yes, a 11:20:53 problem in Florida. 11:20:56  QUESTIONS BY MR. KO: 11:20:57 Q. Okay. And in fact, there was 11:20:57 substantially more oxycodone manufactured by 11:20:59 Mallinckrodt that was being dispensed in 11:21:03	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	share of oxycodone in the nation; is that accurate? 11:22:08  MR. O'CONNOR: Object to form. 11:22:08  THE WITNESS: Yes. 11:22:09  QUESTIONS BY MR. KO: 11:22:11  Q. Okay. And then that rose 11:22:12  slightly in Q1 of 2011 fiscal year 2011 to 11:22:16  56 percent. 11:22:29  Do you see that? 11:22:20  A. Yes, I do see that statistic, 11:22:23  yes. 11:22:26  Q. All right. And so there and 11:22:26  none of Mallinckrodt's competitors are 11:22:27  anywhere close to Mallinckrodt's market share 11:22:29  based on this table, correct? 11:22:33  Q. And in fact, as we just 11:22:35  previously described and went over, the total 11:22:37  percentage of Mallinckrodt's competitors is 11:22:41  less than Mallinckrodt's own share of the 11:22:44  market of oxycodone, correct? 11:22:47  MR. O'CONNOR: Objection to 11:22:50  form. 11:22:51

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2 QUESTIONS BY MR. KO: 11:223-56 3 Q. Okay. Now, based, I believe — 11:223-56 4 if you turn to page 14 of this deck now, 11:23-05 5 going forward. 11:23-08 6 And there's reference made to a 11:23-20 7 conversation that Mallinckrodt had with the 11:23-22 8 DEA on July 20, 2010. 11:23-25 9 Do you see that? 11:23-28 10 A. 1 do. 11:23-29 11 Q. And do you recall that 11:23-29 12 conversation? 11:23-32 13 A. 1 do. 11:23-32 14 Q. And you participated in it? 11:23-33 15 A. Yes. 11:23-35 16 Q. Okay. And well get to that in 11:23-35 17 a moment — 11:23-36 18 A. All right. 11:23-37 19 Q but I just want to talk 11:23-37 19 Questions of the things that you've put in 11:23-40 12 this presentation, including the fact that 11:23-42 12 Mallinckrott is viewed as the kingpin within 11:23-44 14 de drug cartel. 11:23-55 15 A. Yes. 11:23-57 16 A. I do. 11:23-57 17 a moment — 11:23-36 18 A. All right. 11:23-37 19 Q but I just want to talk 11:23-37 19 Q. obay. Son we can that eference? 11:23-48 10 Do you see that reference? 11:23-48 11 Q. And that was something that the 11:23-50 11 DEA St. Louis, yes. 11:24-51 12 do dout some of the things that you've put in 11:23-30 15 A. Yes. 11:23-37 16 moment — 11:23-36 17 moment — 11:23-36 18 A. All right. 11:23-37 19 Q but I just want to talk 11:23-37 19 Q. obay. Son well yet to that in 11:23-42 10 his presentation, including the fact that 11:23-42 11 the drug cartel. 11:23-45 12 Mallinckrodt had any presumption is 11:23-55 13 MR. OCONNOR: Objection to 11:24-03 14 may be a manored to distribution. 11:24-05 15 MR. OCONNOR: Objection to 11:24-51 16 MR. OCONNOR: Objection to 11:24-52 17 de manored to wave well as the kingpin within 11:23-52 18 MR. OCONNOR: Objection to 11:24-07 19 MR. OCONNOR: Objection to 11:24-07 10 MR. OCONNOR: Objection to 11:24-07 11 musing that term as all of DEA here when 1 11:25-50 11 musing that term as all of DEA here when 1 11:25-50 11 musing that term as all of DEA here when 1 11:25-50 11 musing that term as all of DEA here when 1 11:25-50 11 musing that term a		<u> </u>		
3	1		1	expected Mallinckrodt to understand and know 11:24:43
4 if you turn to page 14 of this deck now, 11:23:05   5 going forward.   11:23:06   Can with the Mallinckrodt had with the 11:23:20   7 conversation that Mallinckrodt had with the 11:23:22   8 DEA on July 20, 2010.   11:23:28   9 Do you see that?   11:23:28   9 In Do you see that?   11:23:29   10 Q. Add do you recall that   11:23:29   11:23:32   12 conversation?   11:23:32   12 conversation?   11:23:32   13 A. 1 do.   11:23:32   13 A. 1 do.   11:23:32   14 form.   11:25:05   11:25:05   11:25:05   11:25:05   12:25:05   13 A. Yes.   11:23:35   14 form.   11:25:05   11:25:05   11:25:05   11:25:05   12:25:05   13 A. All right.   11:23:37   14 form.   11:23:36   15 A. All right.   11:23:37   16 was by DEA St. Louis, but DEA Albamy   11:25:07   17 amoment - 11:23:36   16 was by DEA St. Louis, but DEA Albamy   11:25:07   17 contradicted the statement.   11:25:10   11:25:10   11:25:10   12:25:10	2	QUESTIONS BY MR. KO: 11:22:56	2	,
1.123.08	3	Q. Okay. Now, based, I believe 11:22:56	3	
And there's reference made to a 11:23:20   6 DEA St. Louis, yes.   11:24:53	4		4	form. 11:24:51
7   Conversation that Mallinckrodt had with the   11:23:22   11:23:28   2   0   0   0   0   0   11:23:28   5   0   0   0   0   0   0   11:24:54   11:23:28   10   A.   1   1   1   1   1   1   1   2   1   1	5	going forward. 11:23:08	5	THE WITNESS: Yes, that's per 11:24:51
B DEA on July 20, 2010.	6	And there's reference made to a 11:23:20	6	-
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15 A. Yes. And we'll get to that in 11:23:35 16 Q. Okay. And we'll get to that in 11:23:35 17 a moment — 11:23:36 18 A. All right. 11:23:37   18 QUESTIONS BY MR. KO: 11:25:12 19 Q. — but I just want to talk 11:23:37   19 Q. Okay. And we'll get to that 11:25:12 20 about some of the things that you've put in 11:23:42 21 this presentation, including the fact that 11:23:42 22 Mallinckrodt is viewed as the kingpin within 11:23:44 23 the drug cartel. 11:23:47   23 Mallinckrodt his viewed as the kingpin within 11:23:48 24 Do you see that reference? 11:23:48 25 A. I do. 11:23:50 2 DEA had indicated to you? 11:23:52 3 A. Yes. 11:23:53 4 Q. Okay. And my presumption is 11:23:55 5 that they expressed that view because 11:23:57 6 Mallinckrodt had the majority of the market 11:23:59 7 share of oxycodone? 11:24:03 8 MR. O'CONNOR: Objection to 11:24:03 9 form. 11:24:03 11 was expressed, but I don't know what 11:24:05 12 the basis was because this is talking 11:24:07 13 about Harvard Drug distributor. 11:24:09 14 QUESTIONS BY MR. KO: 11:24:12 15 you recall during this DEA meeting in July 11:24:16 16 you recall during this DEA meeting in July 11:24:16 17 of 2010 that DEA had expressed the view that 11:24:20 18 Mallinckrodt was viewed as the kingpin within 11:24:22 19 Q. Okay. And we had discussed a 11:24:26 11 this presentation, including this form. 11:23:49 11 was expressed, but I don't know what 11:24:09 12 the drag carte! 11:24:24 13 the drug carte! 11:24:24 14 the drug carte! 11:24:24 15 Q. Okay. So you — regardless, 11:24:12 16 you recall during this DEA meeting in July 11:24:16 17 or ontradicted the statement. 11:25:12 18 may be Mar. KO: 11:25:12 19 mayle in a moment, but — well, first of all, 11:25:12 11 main manufaction on 11:25:12 11 may be in a moment, but — well, first of all, 11:25:12 12 maybe in a moment, but — well, first of all, 11:25:12 12 maybe in a moment, but — well, first of all, 11:25:12 12 maybe in a moment, but — well, first of all 11:25:12 12 maybe in a moment, but — well, first of all 11:25:12 12 maybe i				-
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Mallinckrodt is viewed as the kingpin within   11:23:44   22   this deck?   11:25:19   A. Well, so the DEA expectation,   11:25:19   I'm using that term as all of DEA here when   11:25:24   I'm using that term as all of DEA here when   11:25:25   I'm using that term as all of DEA here when   11:25:24   I':25:34   I'm using that term as all of DEA here when   11:25:34   I'm using that term as all of DEA here when   11:25:34   I'm using that term as all of DEA here when   11:25:34   I'm using that term as all of DEA here when   11:25:34   I'm using that term as all of DEA here when   11:25:34   I'm using that term as all of DEA here when   11:25:34   I'm using that term as all of DEA here when   11:25:34   I'm using that term				
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	Page 146		Page 148
1	form. 11:26:16	1	
2	THE WITNESS: Yes. 11:26:16	2	the suspicious order monitoring team at the 11:28:08
3	QUESTIONS BY MR. KO: 11:26:17	3	time. 11:28:10
4	Q. Okay. By the way, we talked 11:26:17	4	Q. Okay. I want to turn back to 11:28:10
5	about Mr. Ratliff a moment ago. 11:26:31	5	the table of contents of this deck, which 11:28:26
6	When did you first start 11:26:34	6	appears on page 2. And again, I understand 11:28:32
7	working with Mr. Ratliff? 11:26:35	7	that you didn't actually make this 11:28:41
8		8	presentation, but you prepared all the 11:28:44
9	·	9	· · · · · · · · · · · · · · · · · · ·
	Q. Okay. It was before the 2008 11:26:38		materials in this presentation, correct? 11:28:47  A. Yes. 11:28:48
10	time period? 11:26:41	10	
11	A. I don't know when he came to 11:26:41	11	Q. Including some of the things 11:28:50
12	us, I'm sorry. 11:26:45	12	that we went over and also this reference to 11:28:52
13	Q. Sure. 11:26:46	13	an OxyContin Express video? 11:28:55
14	Do you know who Pete Kleissle 11:26:47	14	A. Yes. 11:28:58
15	is? 11:26:51	15	Q. And do you recall ever 11:28:59
16	A. Yes. 11:26:51	16	presenting I know you didn't make this 11:29:01
17	Q. He was at DEA, correct? 11:26:52	17	presentation, but did you recall presenting 11:29:04
18	A. Yes. 11:26:53	18	about the OxyContin Express in other settings 11:29:07
19	Q. Do you recall any conversations 11:26:53	19	at Mallinckrodt? 11:29:13
20	with Pete Kleissle regarding your obligations 11:26:55	20	A. Yes, I believe so. 11:29:13
21	to know your customer's customer? 11:26:59	21	Q. Okay. And that video, again, 11:29:13
22	A. So when I'm using the term 11:27:01	22	consisted of your understanding of migration 11:29:15
23	"DEA" here, this conversation was indeed with 11:27:06	23	of opioid pills moving north from Florida, 11:29:17
24	Pete Kleissle. 11:27:10	24	correct? 11:29:20
25	Q. Okay. So Pete Kleissle 11:27:11	25	A. Correct. 11:29:21
	Page 147		Page 149
1	specifically told you and other people that 11:27:15	1	Q. And unfortunately we don't have 11:29:22
2	were at this meeting that you had an 11:27:18	2	the video to play, but I believe 11:29:27
3	obligation to know your customer's customer 11:27:20	3	A. Unfortunately, a lot of the 11:29:28
4	or 11:27:23	4	time I couldn't get the video to play. 11:29:31
5	A. It was only me. 11:27:23	5	Q. Oh, okay. 11:29:32
6	Q. Only you. Okay. 11:27:24	6	Well, I believe there's some 11:29:33
7	And who did you share that 11:27:27	7	stills, at least, in this presentation. 11:29:34
8	information with? 11:27:28	8	Turning to page 16. 11:29:36
9	A. The person to whom I reported 11:27:28	9	A. All right. 11:29:37
10	at the time and Bill Ratliff, because I don't 11:27:35	10	Q. Do you recall that particular 11:29:47
11	believe our group reported to him, but we 11:27:38	11	image? 11:29:48
12	work in close conjunction with the security 11:27:39	12	A. I do. 11:29:48
13	group in DEA compliance. 11:27:41	13	Q. This was an image that was 11:29:49
14	Q. Okay. And so the person you 11:27:42	14	included in your video? 11:29:50
	reported to at the time was Ms. Levy or was 11:27:44	15	•
15	it Mr. Santowski? You don't recall? 11:27:46	16	A. I don't think so. I think it 11:29:51
17			was separate. 11:29:54
	A. It was another person, Tom 11:27:48	17	Q. This is just an image? 11:29:55
18	Berry. 11:27:52	18	A. Yes. 11:29:56
19	Q. Tom Berry. Okay. 11:27:52	19	Q. Okay. This was an image of, I 11:29:57
20	So other than Mr. Berry and 11:27:52	20	think, a pill mill in Florida? 11:29:59
21	Mr. Ratliff, did you talk about this 11:27:54	21	MR. O'CONNOR: Objection to 11:30:01
22	conversation you had with Mr. Kleissle with 11:27:56	22	form. 11:30:01
23	anyone else? 11:27:58	23	THE WITNESS: Yes. 11:30:01
24		. 0 4	
	A. I may have discussed it 11:27:59	24	QUESTIONS BY MR. KO: 11:30:02
25	A. I may have discussed it 11:27:59 well, clearly I put it in a presentation, so 11:28:04	25	Q. And the pill mill was, I 11:30:02

	Page 150		Page 152
1	think I think this particular picture was 11:30:04	1	as Harper Exhibit 4. For the record, that'll 11:31:52
2	of Tru-Valu, I believe. 11:30:06	2	end in Bates stamp 496098. 11:31:58
3	Does that name ring a bell? 11:30:08	3	Actually, we'll skip that one. 11:32:18
4	MR. O'CONNOR: Objection to 11:30:12	4	Let's go to I'll take that one. Still 11:32:23
5	form. 11:30:12	5	Exhibit 4. Strike that. 11:32:32
6	THE WITNESS: The name rings a 11:30:12	6	Exhibit 4 is actually ending in 11:32:34
7	bell, but I don't have a way of 11:30:13	7	Bates stamp 1308810. That is Harper 11:32:36
8	identifying the pharmacy here. 11:30:14	8	Exhibit 4. 11:32:44
9	QUESTIONS BY MR. KO: 11:30:16	9	You keep that one. That's the 11:32:44
10	Q. Okay. By the way, what's your 11:30:16	10	official copy with the 11:32:46
11	definition of a pill mill? 11:30:17	11	A. Okay. I apologize. Sorry. 11:32:48
12	A. The definition of a pill mill, 11:30:18	12	Q. No need to apologize. 11:32:49
13	from my perspective, is a facility wherein 11:30:20	13	For the record, this is a 11:32:50
14	patients who may not legitimately have the 11:30:28	14	March 3, 2008 e-mail from you to Bill 11:33:02
15	need for a prescription would go and have 11:30:33	15	Ratliff. 11:33:05
16	some doctors were overprescribing or selling 11:30:38	16	Do you see that? 11:33:06
17	oxycodone specifically within the state of 11:30:43	17	A. I do. 11:33:06
18	Florida because it was a DEA-registered 11:30:45	18	Q. Do you have any reason to doubt 11:33:06
19	activity at the time. 11:30:47	19	that you sent this e-mail to Mr. Ratliff on 11:33:08
20	Q. And then, therefore, as a 11:30:48	20	March 3, 2008? 11:33:11
21	result of the wide or overprescription of 11:30:51	21	A. No reason to doubt it. 11:33:11
22	oxycodone, those particular prescription 11:30:53	22	Q. Okay. So I know you said a 11:33:13
23	opioids were being widely abused and 11:30:56	23	moment ago you don't recall when you started 11:33:14
24	diverted; is that correct? 11:30:59	24	working with Mr. Ratliff, but at least as of 11:33:16
25	MR. O'CONNOR: Objection to 11:30:59	25	March of 2008, you seemed to be working with 11:33:18
	Page 151		Page 153
		1	rage 1.3.3
1	_	1	
1 2	form. 11:31:00	1 2	him in connection with DEA compliance, 11:33:20
	form. 11:31:00		him in connection with DEA compliance, 11:33:20
2	form. 11:31:00 THE WITNESS: So, yes, 11:31:00	2	him in connection with DEA compliance, correct? 11:33:20
2 3	form. 11:31:00 THE WITNESS: So, yes, 11:31:00 that's that's one of the 11:31:02	2	him in connection with DEA compliance, correct? 11:33:24  A. Correct. 11:33:24
2 3 4	form. 11:31:00  THE WITNESS: So, yes, 11:31:00 that's that's one of the 11:31:02 contributing factors, yes. 11:31:03	2 3 4	him in connection with DEA compliance, 11:33:20 correct? 11:33:24  A. Correct. 11:33:24  Q. And it appears that you're 11:33:24
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2 3 4 5 6	form. 11:31:00  THE WITNESS: So, yes, 11:31:00  that's that's one of the 11:31:02  contributing factors, yes. 11:31:03  QUESTIONS BY MR. KO: 11:31:05  Q. Okay. And you understood 11:31:05  during the 2008 through 2012 time period that 11:31:07	2 3 4 5 6	him in connection with DEA compliance, correct? 11:33:24  A. Correct. 11:33:24  Q. And it appears that you're 11:33:24  preparing some DEA compliance monthly 11:33:25  highlights as of February 2008. 11:33:30
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2 3 4 5 6 7 8 9 10	form. 11:31:00  THE WITNESS: So, yes, 11:31:00 that's that's one of the 11:31:02 contributing factors, yes. 11:31:03  QUESTIONS BY MR. KO: 11:31:05 Q. Okay. And you understood 11:31:05 during the 2008 through 2012 time period that 11:31:07 there were a large amount of pill mills in 11:31:10 Florida, correct? 11:31:13  A. I don't know the number, and I 11:31:14 don't have a a basis for correlation in 11:31:16	2 3 4 5 6 7 8 9 10	him in connection with DEA compliance, correct? 11:33:24  A. Correct. 11:33:24  Q. And it appears that you're 11:33:24 preparing some DEA compliance monthly 11:33:25 highlights as of February 2008. 11:33:30  Do you see that? 11:33:32  A. Yes. 11:33:32  Q. And do you recall how 11:33:33 frequently you prepared these monthly 11:33:35 highlights? 11:33:37
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	Page 154		Page 156
1	Q. I see. 11:34:04	1	that Mallinckrodt's SOM program needed to 11:36:02
2	So you sent during the time 11:34:04	2	be needed to receive elevated priority? 11:36:04
3	period in which you created a DEA compliance 11:34:07	3	A. I do. 11:36:08
4	monthly highlight, you sent those to your 11:34:10	4	Q. Yeah. And what were the 11:36:09
5	direct report each month, correct? 11:34:12	5	reasons for that? 11:36:11
6	A. The person to whom I reported, 11:34:14	6	A. So this master compounding 11:36:12
7	yes. 11:34:16	7	pharmacy sale, which we did not make, the 11:36:15
8	Q. Okay. 11:34:16	8	matter was brought to our attention by a DEA 11:36:20
9	A. And I can't rule out no one 11:34:16	9	investigator. But after the decision was 11:36:23
10	else received this, but this is directed to 11:34:19	10	made that that was a suspicious order we 11:36:26
11	Bill Ratliff only on the correspondence. 11:34:22	11	would not ship, one of the narcotic the 11:36:28
12	Q. And as a general matter, these 11:34:24	12	NAMs but she was on the bulk side. She 11:36:31
13	monthly highlights were sent only to your 11:34:26	13	said to us, "Ah, I was in that place, and it 11:36:34
14	direct report; is that fair to say? 11:34:29	14	didn't look right." 11:36:37
15	A. The person to whom I reported 11:34:31	15	So that prompted a reeducation 11:36:38
16	directly, yes. 11:34:33	16	of the commercial group, our eyes and ears in 11:36:41
17	Q. Okay. Thank you. 11:34:33	17	the market again, to call to our attention 11:36:45
18	And I just want to go over one 11:34:34	18	anything that looked abnormal with any of the 11:36:47
19	quick thing on this particular e-mail. 11:34:38	19	facilities to which we were selling. 11:36:50
20	Do you see three sections down 11:34:42	20	Q. Okay. And during this time 11:36:52
21	the portion of the e-mail that refers to 11:34:46	21	period we had talked a moment ago about 11:36:54
22	suspicious order monitoring? 11:34:48	22	certain DEA guidance letters that you had 11:36:56
23	A. Yes, I see it. 11:34:49	23	received in 2006 through 2007 time period, 11:36:59
24	Q. You indicate to Mr. Ratliff 11:34:51	24	correct? 11:37:01
25	that "the need for a comprehensive review and 11:34:55	25	A. Yes. 11:37:01
	Page 155		Page 157
1	_	1	_
1 2	upgrade of our suspicious order monitoring 11:34:58	1 2	Q. And those letters were sent by 11:37:01
	upgrade of our suspicious order monitoring 11:34:58		Q. And those letters were sent by 11:37:01
2	upgrade of our suspicious order monitoring 11:34:58 program has received elevated priority." 11:34:59	2	Q. And those letters were sent by 11:37:01  Joseph Rannazzisi, correct? 11:37:04
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	upgrade of our suspicious order monitoring 11:34:58 program has received elevated priority." 11:34:59  Did I read that correctly? 11:35:02  A. Yes. 11:35:03  Q. So is it fair to say that as of 11:35:05  March of 2008, your belief was that 11:35:08  Mallinckrodt's SOM program needed to be 11:35:12 reviewed and upgraded and that needed to 11:35:15 be reviewed and upgraded? 11:35:19  MR. O'CONNOR: Objection to 11:35:20 form. 11:35:20  THE WITNESS: It states yes, 11:35:20 it states "upgraded." I would have 11:35:22 changed that terminology if I could, 11:35:24 but it says "upgraded," yes. 11:35:26  QUESTIONS BY MR. KO: 11:35:27  Q. Okay. And you also state that 11:35:31 upgrade Mallinckrodt's SOM program is an 11:35:36 elevated priority"; is that correct? 11:35:40	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. And those letters were sent by 11:37:01  Joseph Rannazzisi, correct? 11:37:04  A. I believe, yes. Yes, he was 11:37:05  deputy assistant administrator. Yes. 11:37:08  Q. And is it okay for purposes of 11:37:13  this deposition to refer to those guidance 11:37:16  letters as the Rannazzisi letters? 11:37:17  A. Yes. 11:37:19  Q. Okay. So was one of the 11:37:19  reasons why you were putting more attention 11:37:20  to Mallinckrodt's SOM program a result of 11:37:25  receiving these of receiving the 11:37:30  A. It caused us to pay to give 11:37:31  more attention to our suspicious order 11:37:36  monitoring, but specifically this event is as 11:37:38  I just previously spoke, where we had a 11:37:41  Mallinckrodt person out at this facility, and 11:37:47  and it wound up to be a suspicious order. 11:37:50
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	upgrade of our suspicious order monitoring 11:34:58 program has received elevated priority." 11:34:59  Did I read that correctly? 11:35:02  A. Yes. 11:35:03  Q. So is it fair to say that as of 11:35:05  March of 2008, your belief was that 11:35:08  Mallinckrodt's SOM program needed to be 11:35:12 reviewed and upgraded and that needed to 11:35:15 be reviewed and upgraded? 11:35:19  MR. O'CONNOR: Objection to 11:35:20 form. 11:35:20  THE WITNESS: It states yes, 11:35:20 it states "upgraded." I would have 11:35:22 changed that terminology if I could, 11:35:24 but it says "upgraded," yes. 11:35:26  QUESTIONS BY MR. KO: 11:35:27  Q. Okay. And you also state that 11:35:31 upgrade Mallinckrodt's SOM program is an 11:35:36 elevated priority"; is that correct? 11:35:40  A. Yes. 11:35:42	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. And those letters were sent by 11:37:01  Joseph Rannazzisi, correct? 11:37:04  A. I believe, yes. Yes, he was 11:37:05 deputy assistant administrator. Yes. 11:37:08  Q. And is it okay for purposes of 11:37:13 this deposition to refer to those guidance 11:37:16 letters as the Rannazzisi letters? 11:37:17  A. Yes. 11:37:19  Q. Okay. So was one of the 11:37:19 reasons why you were putting more attention 11:37:20 to Mallinckrodt's SOM program a result of 11:37:25 receiving these of receiving the 11:37:28 Rannazzisi letters? 11:37:30  A. It caused us to pay to give 11:37:31 more attention to our suspicious order 11:37:36 monitoring, but specifically this event is as 11:37:38 I just previously spoke, where we had a 11:37:41 Mallinckrodt person out at this facility, and 11:37:44 in retrospect they said it didn't look right 11:37:50 So we wanted to reeducate our 11:37:50
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	upgrade of our suspicious order monitoring program has received elevated priority." 11:34:59  Did I read that correctly? 11:35:02  A. Yes. 11:35:03  Q. So is it fair to say that as of 11:35:05  March of 2008, your belief was that 11:35:08  Mallinckrodt's SOM program needed to be 11:35:12  reviewed and upgraded and that needed to 11:35:15  be reviewed and upgraded? 11:35:19  MR. O'CONNOR: Objection to 11:35:20  form. 11:35:20  THE WITNESS: It states yes, 11:35:20  it states "upgraded." I would have 11:35:22  changed that terminology if I could, 11:35:24  but it says "upgraded," yes. 11:35:26  QUESTIONS BY MR. KO: 11:35:27  Q. Okay. And you also state that 11:35:31  upgrade Mallinckrodt's SOM program is an 11:35:36  elevated priority"; is that correct? 11:35:40  A. Yes. 11:35:42  Q. Okay. You can set that aside. 11:35:42	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. And those letters were sent by 11:37:01  Joseph Rannazzisi, correct? 11:37:04  A. I believe, yes. Yes, he was 11:37:05  deputy assistant administrator. Yes. 11:37:08  Q. And is it okay for purposes of 11:37:13  this deposition to refer to those guidance 11:37:16  letters as the Rannazzisi letters? 11:37:17  A. Yes. 11:37:19  Q. Okay. So was one of the 11:37:19  reasons why you were putting more attention 11:37:20  to Mallinckrodt's SOM program a result of 11:37:25  receiving these of receiving the 11:37:30  A. It caused us to pay to give 11:37:31  more attention to our suspicious order 11:37:36  monitoring, but specifically this event is as 11:37:38  I just previously spoke, where we had a 11:37:41  Mallinckrodt person out at this facility, and 11:37:44  in retrospect they said it didn't look right 11:37:50  So we wanted to reeducate our 11:37:52  sales force about their reviewing customer 11:37:53
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	upgrade of our suspicious order monitoring program has received elevated priority." 11:34:59  Did I read that correctly? 11:35:02  A. Yes. 11:35:03  Q. So is it fair to say that as of 11:35:05  March of 2008, your belief was that 11:35:08  Mallinckrodt's SOM program needed to be 11:35:12  reviewed and upgraded and that needed to 11:35:15  be reviewed and upgraded? 11:35:19  MR. O'CONNOR: Objection to 11:35:20  form. 11:35:20  THE WITNESS: It states yes, 11:35:20  it states "upgraded." I would have 11:35:22  changed that terminology if I could, 11:35:24  but it says "upgraded," yes. 11:35:26  QUESTIONS BY MR. KO: 11:35:27  Q. Okay. And you also state that 11:35:28  "as of March 3, 2008, the need to review and 11:35:31  upgrade Mallinckrodt's SOM program is an 11:35:36  elevated priority"; is that correct? 11:35:40  A. Yes. 11:35:42  Q. Okay. You can set that aside. 11:35:54	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. And those letters were sent by 11:37:01  Joseph Rannazzisi, correct? 11:37:04  A. I believe, yes. Yes, he was 11:37:05 deputy assistant administrator. Yes. 11:37:08  Q. And is it okay for purposes of 11:37:13 this deposition to refer to those guidance 11:37:16 letters as the Rannazzisi letters? 11:37:17  A. Yes. 11:37:19  Q. Okay. So was one of the 11:37:19 reasons why you were putting more attention 11:37:20 to Mallinckrodt's SOM program a result of 11:37:25 receiving these of receiving the 11:37:28 Rannazzisi letters? 11:37:30  A. It caused us to pay to give 11:37:31 more attention to our suspicious order 11:37:36 monitoring, but specifically this event is as 11:37:38 I just previously spoke, where we had a 11:37:41 Mallinckrodt person out at this facility, and 11:37:47 and it wound up to be a suspicious order. 11:37:50  So we wanted to reeducate our 11:37:52 sales force about their reviewing customer 11:37:53 accounts when they were in there. 11:37:57
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	upgrade of our suspicious order monitoring program has received elevated priority." 11:34:59  Did I read that correctly? 11:35:02  A. Yes. 11:35:03  Q. So is it fair to say that as of 11:35:05  March of 2008, your belief was that 11:35:08  Mallinckrodt's SOM program needed to be 11:35:12  reviewed and upgraded and that needed to 11:35:15  be reviewed and upgraded? 11:35:19  MR. O'CONNOR: Objection to 11:35:20  form. 11:35:20  THE WITNESS: It states yes, 11:35:20  it states "upgraded." I would have 11:35:22  changed that terminology if I could, 11:35:24  but it says "upgraded," yes. 11:35:26  QUESTIONS BY MR. KO: 11:35:27  Q. Okay. And you also state that 11:35:31  upgrade Mallinckrodt's SOM program is an 11:35:36  elevated priority"; is that correct? 11:35:40  A. Yes. 11:35:42  Q. Okay. You can set that aside. 11:35:42	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. And those letters were sent by 11:37:01  Joseph Rannazzisi, correct? 11:37:04  A. I believe, yes. Yes, he was 11:37:05  deputy assistant administrator. Yes. 11:37:08  Q. And is it okay for purposes of 11:37:13  this deposition to refer to those guidance 11:37:16  letters as the Rannazzisi letters? 11:37:17  A. Yes. 11:37:19  Q. Okay. So was one of the 11:37:19  reasons why you were putting more attention 11:37:20  to Mallinckrodt's SOM program a result of 11:37:25  receiving these of receiving the 11:37:30  A. It caused us to pay to give 11:37:31  more attention to our suspicious order 11:37:36  monitoring, but specifically this event is as 11:37:38  I just previously spoke, where we had a 11:37:41  Mallinckrodt person out at this facility, and 11:37:44  in retrospect they said it didn't look right 11:37:50  So we wanted to reeducate our 11:37:52  sales force about their reviewing customer 11:37:53

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1	appreciate that. You have great recall about 11:38:02	1	questions taken from Southwood into a 11:40:12
2	that. 11:38:06	2	checklist, correct? 11:40:19
3	But in terms of revising and 11:38:06	3	A. Correct. 11:40:19
4	enhancing your SOM program, would it be 11:38:09	4	Q. And this checklist is reference 11:40:21
5	accurate to say that in early 2008, one of 11:38:12	5	to a customer checklist that Mallinckrodt 11:40:24
6	the reasons why you wanted to do so was a 11:38:16	6	utilized in connection with this SOM program, 11:40:27
7	result of receiving the Rannazzisi letters? 11:38:19	7	correct? 11:40:30
8	A. Yes. 11:38:20	8	MR. O'CONNOR: Objection to 11:40:30
9	Q. Okay. I want to hand you 11:38:21	9	form. 11:40:31
10	you can set that aside. 11:38:24	10	THE WITNESS: It was being 11:40:31
11	(Mallinckrodt-Harper Exhibit 5 11:38:25	11	implemented at the time, yes. 11:40:33
12	marked for identification.) 11:38:25	12	QUESTIONS BY MR. KO: 11:40:34
13	QUESTIONS BY MR. KO: 11:38:25	13	Q. Okay. So, and when you say 11:40:34
14	Q. I want to hand you what's been 11:38:26	14	"implemented at the time" thank you for 11:40:37
15	marked as Harper Exhibit 5, and that ends in 11:38:27	15	that as of April 10, 2008, there wasn't 11:40:38
16	Bates stamp 273902. And this is an e-mail, 11:38:31	16	necessarily a checklist that was final, 11:40:42
17	for the record, that you sent to several 11:38:45	17	11:40:44
18	people dated April 10, 2008. 11:38:47	18	A. There were several checklists. 11:40:45
19	Do you have any reason to doubt 11:38:51	19	Okay. 11:40:49 So may I explain, please? 11:40:49
20 21	that you sent this e-mail on this day and 11:38:55 time? 11:38:56	20	So may I explain, please? 11:40:49 Q. Sure. 11:40:51
22	A. I have no reason to doubt it. 11:38:56	22	A. So there was a customer account 11:40:52
23	Q. Okay. And here you talk about 11:38:58	23	setup which had been in existence ad 11:40:53
24	reference to the Drug and Chemical Advisory 11:39:01	24	infinitum, but this was a new customer 11:40:59
25	Group. That's the group that we were 11:39:05	25	checklist that asked our customers to attest 11:41:01
23	Group. That's the group that we were 11.39.03	23	checklist that asked our customers to attest 11.41.01
	Page 159		Page 161
1	discussing before that Frank Sapienza was 11:39:06	1	to their that they had a suspicious order 11:41:05
2	part of, correct? 11:39:10	2	monitoring program. And we got that guidance 11:41:10
3	A. Correct. 11:39:12	3	straight from Drug and Chemical Advisory 11:41:12
4	Q. And so at least as of this 11:39:12	4	Group, that that would be a tool to augment 11:41:16
5	time you are consulting with them well, is 11:39:14	5	our program. 11:41:18
6	it fair to say that as of April 10, 2008, you 11:39:16	6	Q. Okay. So a moment ago when you 11:41:18
7	are consulting with the Drug and Chemical 11:39:18	7	said that there was always a customer account 11:41:21
8	Advisory Group in connection with your duties 11:39:20		
_	· · ·	8	setup, as far as you understood, in 11:41:23
9	to design and implement a suspicious order 11:39:21	9	connection with SOM procedure, prior to this 11:41:24
10	to design and implement a suspicious order 11:39:21 monitoring program? 11:39:24	9	connection with SOM procedure, prior to this 11:41:24 date was there ever a customer checklist that 11:41:28
10 11	to design and implement a suspicious order 11:39:21 monitoring program? 11:39:24  A. That's correct. 11:39:24	9 10 11	connection with SOM procedure, prior to this 11:41:24 date was there ever a customer checklist that 11:41:28 was part of that customer account setup? 11:41:31
10 11 12	to design and implement a suspicious order 11:39:21 monitoring program? 11:39:24 A. That's correct. 11:39:24 Q. Okay. And on the additional 11:39:26	9 10 11 12	connection with SOM procedure, prior to this 11:41:24 date was there ever a customer checklist that 11:41:28 was part of that customer account setup? 11:41:31  A. Right. So, no, I'd like to 11:41:33
10 11 12 13	to design and implement a suspicious order 11:39:21 monitoring program? 11:39:24  A. That's correct. 11:39:24  Q. Okay. And on the additional 11:39:26 items for consideration section, you talk 11:39:29	9 10 11 12 13	connection with SOM procedure, prior to this 11:41:24 date was there ever a customer checklist that 11:41:28 was part of that customer account setup? 11:41:31  A. Right. So, no, I'd like to 11:41:33 clarify because the previous checklist was 11:41:34
10 11 12 13 14	to design and implement a suspicious order 11:39:21 monitoring program? 11:39:24  A. That's correct. 11:39:24  Q. Okay. And on the additional 11:39:26 items for consideration section, you talk 11:39:29 about the Southwood Federal Register Notice. 11:39:33	9 10 11 12 13 14	connection with SOM procedure, prior to this 11:41:24 date was there ever a customer checklist that 11:41:28 was part of that customer account setup? 11:41:31  A. Right. So, no, I'd like to 11:41:33 clarify because the previous checklist was 11:41:34 not in conjunction with SOM. So this is the 11:41:37
10 11 12 13 14	to design and implement a suspicious order 11:39:21 monitoring program? 11:39:24  A. That's correct. 11:39:24  Q. Okay. And on the additional 11:39:26 items for consideration section, you talk 11:39:29 about the Southwood Federal Register Notice. 11:39:33 Do you see that? 11:39:37	9 10 11 12 13 14 15	connection with SOM procedure, prior to this 11:41:24 date was there ever a customer checklist that 11:41:28 was part of that customer account setup? 11:41:31  A. Right. So, no, I'd like to 11:41:33 clarify because the previous checklist was 11:41:34 not in conjunction with SOM. So this is the 11:41:37 first SOM checklist. 11:41:40
10 11 12 13 14 15	to design and implement a suspicious order 11:39:21 monitoring program? 11:39:24  A. That's correct. 11:39:24  Q. Okay. And on the additional 11:39:26 items for consideration section, you talk 11:39:29 about the Southwood Federal Register Notice. 11:39:33  Do you see that? 11:39:37  A. I do. 11:39:38	9 10 11 12 13 14 15 16	connection with SOM procedure, prior to this 11:41:24 date was there ever a customer checklist that 11:41:28 was part of that customer account setup? 11:41:31  A. Right. So, no, I'd like to 11:41:33 clarify because the previous checklist was 11:41:34 not in conjunction with SOM. So this is the 11:41:37 first SOM checklist. 11:41:40  Q. Great. 11:41:41
10 11 12 13 14 15 16	to design and implement a suspicious order 11:39:21 monitoring program? 11:39:24  A. That's correct. 11:39:24 Q. Okay. And on the additional 11:39:26 items for consideration section, you talk 11:39:29 about the Southwood Federal Register Notice. 11:39:33  Do you see that? 11:39:37 A. I do. 11:39:38 Q. And when you describe the 11:39:39	9 10 11 12 13 14 15 16 17	connection with SOM procedure, prior to this 11:41:24 date was there ever a customer checklist that 11:41:28 was part of that customer account setup? 11:41:31  A. Right. So, no, I'd like to 11:41:33 clarify because the previous checklist was 11:41:34 not in conjunction with SOM. So this is the 11:41:37 first SOM checklist. 11:41:40  Q. Great. 11:41:41  So accurate to say that as of 11:41:42
10 11 12 13 14 15 16 17	to design and implement a suspicious order 11:39:21 monitoring program? 11:39:24  A. That's correct. 11:39:24  Q. Okay. And on the additional 11:39:26 items for consideration section, you talk 11:39:29 about the Southwood Federal Register Notice. 11:39:33  Do you see that? 11:39:37  A. I do. 11:39:38  Q. And when you describe the 11:39:39  Southwood Federal Register Notice, you take 11:39:51	9 10 11 12 13 14 15 16 17	connection with SOM procedure, prior to this 11:41:24 date was there ever a customer checklist that 11:41:28 was part of that customer account setup? 11:41:31  A. Right. So, no, I'd like to 11:41:33 clarify because the previous checklist was 11:41:34 not in conjunction with SOM. So this is the 11:41:37 first SOM checklist. 11:41:40  Q. Great. 11:41:41 So accurate to say that as of 11:41:42 April of 2008, you are developing the first 11:41:45
10 11 12 13 14 15 16 17 18	to design and implement a suspicious order 11:39:21 monitoring program? 11:39:24  A. That's correct. 11:39:24  Q. Okay. And on the additional 11:39:26 items for consideration section, you talk 11:39:29 about the Southwood Federal Register Notice. 11:39:33  Do you see that? 11:39:37  A. I do. 11:39:38  Q. And when you describe the 11:39:39  Southwood Federal Register Notice, you take 11:39:51 some important elements of that notice and 11:39:56	9 10 11 12 13 14 15 16 17 18	connection with SOM procedure, prior to this 11:41:24 date was there ever a customer checklist that 11:41:28 was part of that customer account setup? 11:41:31  A. Right. So, no, I'd like to 11:41:33 clarify because the previous checklist was 11:41:34 not in conjunction with SOM. So this is the 11:41:37 first SOM checklist. 11:41:40  Q. Great. 11:41:41  So accurate to say that as of 11:41:42  April of 2008, you are developing the first 11:41:45 customer checklist to be filled out in 11:41:47
10 11 12 13 14 15 16 17 18 19	to design and implement a suspicious order 11:39:21 monitoring program? 11:39:24  A. That's correct. 11:39:24  Q. Okay. And on the additional 11:39:26 items for consideration section, you talk 11:39:29 about the Southwood Federal Register Notice. 11:39:33  Do you see that? 11:39:37  A. I do. 11:39:38  Q. And when you describe the 11:39:39  Southwood Federal Register Notice, you take 11:39:51 some important elements of that notice and 11:39:56 relay them to the people you are e-mailing 11:40:03	9 10 11 12 13 14 15 16 17 18 19	connection with SOM procedure, prior to this 11:41:24 date was there ever a customer checklist that 11:41:28 was part of that customer account setup? 11:41:31  A. Right. So, no, I'd like to 11:41:33 clarify because the previous checklist was 11:41:34 not in conjunction with SOM. So this is the 11:41:37 first SOM checklist. 11:41:40  Q. Great. 11:41:41  So accurate to say that as of 11:41:42  April of 2008, you are developing the first 11:41:45 customer checklist to be filled out in 11:41:47  connection with Mallinckrodt's SOM program? 11:41:50
10 11 12 13 14 15 16 17 18 19 20 21	to design and implement a suspicious order 11:39:21 monitoring program? 11:39:24  A. That's correct. 11:39:24  Q. Okay. And on the additional 11:39:26 items for consideration section, you talk 11:39:29 about the Southwood Federal Register Notice. 11:39:33  Do you see that? 11:39:37  A. I do. 11:39:38  Q. And when you describe the 11:39:39  Southwood Federal Register Notice, you take 11:39:51 some important elements of that notice and 11:39:56 relay them to the people you are e-mailing 11:40:03 here. 11:40:05	9 10 11 12 13 14 15 16 17 18 19 20 21	connection with SOM procedure, prior to this 11:41:24 date was there ever a customer checklist that 11:41:28 was part of that customer account setup? 11:41:31  A. Right. So, no, I'd like to 11:41:33 clarify because the previous checklist was 11:41:34 not in conjunction with SOM. So this is the 11:41:37 first SOM checklist. 11:41:40  Q. Great. 11:41:41  So accurate to say that as of 11:41:42  April of 2008, you are developing the first 11:41:45 customer checklist to be filled out in 11:41:47  connection with Mallinckrodt's SOM program? 11:41:50 Correct? 11:41:53
10 11 12 13 14 15 16 17 18 19 20 21	to design and implement a suspicious order 11:39:21 monitoring program? 11:39:24  A. That's correct. 11:39:24  Q. Okay. And on the additional 11:39:26 items for consideration section, you talk 11:39:29 about the Southwood Federal Register Notice. 11:39:33  Do you see that? 11:39:37  A. I do. 11:39:38  Q. And when you describe the 11:39:39  Southwood Federal Register Notice, you take 11:39:51 some important elements of that notice and 11:39:56 relay them to the people you are e-mailing 11:40:03 here. 11:40:05  Do you see that? 11:40:05	9 10 11 12 13 14 15 16 17 18 19 20 21	connection with SOM procedure, prior to this 11:41:24 date was there ever a customer checklist that 11:41:28 was part of that customer account setup? 11:41:31  A. Right. So, no, I'd like to 11:41:33 clarify because the previous checklist was 11:41:34 not in conjunction with SOM. So this is the 11:41:37 first SOM checklist. 11:41:40  Q. Great. 11:41:41  So accurate to say that as of 11:41:42  April of 2008, you are developing the first 11:41:45 customer checklist to be filled out in 11:41:47  connection with Mallinckrodt's SOM program? 11:41:50  Correct? 11:41:53  A. That's correct. 11:41:53
10 11 12 13 14 15 16 17 18 19 20 21 22 23	to design and implement a suspicious order 11:39:21 monitoring program? 11:39:24  A. That's correct. 11:39:24  Q. Okay. And on the additional 11:39:26 items for consideration section, you talk 11:39:29 about the Southwood Federal Register Notice. 11:39:33  Do you see that? 11:39:37  A. I do. 11:39:38  Q. And when you describe the 11:39:39  Southwood Federal Register Notice, you take 11:39:51 some important elements of that notice and 11:39:56 relay them to the people you are e-mailing 11:40:03 here. 11:40:05  Do you see that? 11:40:05  A. I do. 11:40:06	9 10 11 12 13 14 15 16 17 18 19 20 21 22	connection with SOM procedure, prior to this 11:41:24 date was there ever a customer checklist that 11:41:28 was part of that customer account setup? 11:41:31  A. Right. So, no, I'd like to 11:41:33 clarify because the previous checklist was 11:41:34 not in conjunction with SOM. So this is the 11:41:37 first SOM checklist. 11:41:40  Q. Great. 11:41:41  So accurate to say that as of 11:41:42  April of 2008, you are developing the first 11:41:45 customer checklist to be filled out in 11:41:47  connection with Mallinckrodt's SOM program? 11:41:50  Correct? 11:41:53  A. That's correct. 11:41:54
10 11 12 13 14 15 16 17 18 19 20 21	to design and implement a suspicious order 11:39:21 monitoring program? 11:39:24  A. That's correct. 11:39:24  Q. Okay. And on the additional 11:39:26 items for consideration section, you talk 11:39:29 about the Southwood Federal Register Notice. 11:39:33  Do you see that? 11:39:37  A. I do. 11:39:38  Q. And when you describe the 11:39:39  Southwood Federal Register Notice, you take 11:39:51 some important elements of that notice and 11:39:56 relay them to the people you are e-mailing 11:40:03 here. 11:40:05  Do you see that? 11:40:05	9 10 11 12 13 14 15 16 17 18 19 20 21	connection with SOM procedure, prior to this 11:41:24 date was there ever a customer checklist that 11:41:28 was part of that customer account setup? 11:41:31  A. Right. So, no, I'd like to 11:41:33 clarify because the previous checklist was 11:41:34 not in conjunction with SOM. So this is the 11:41:37 first SOM checklist. 11:41:40  Q. Great. 11:41:41  So accurate to say that as of 11:41:42  April of 2008, you are developing the first 11:41:45 customer checklist to be filled out in 11:41:47  connection with Mallinckrodt's SOM program? 11:41:50  Correct? 11:41:53  A. That's correct. 11:41:53

	5 1		
	Page 162		Page 164
1	understand correctly, is to try and determine 11:42:01	1	Southwood is to input into the checklist 11:43:27
2	the overall percentage of controlled 11:42:03	2	identification of the percentage of 11:43:32
3	substance filled by the pharmacy. 11:42:05	3	prescriptions filled by the filled by the 11:43:35
4	Do you see that? 11:42:06	4	pharmacy that originate from the Internet. 11:43:37
5	A. I do see that. 11:42:07	5	Do you see that? 11:43:39
6	Q. And so that was an important 11:42:08	6	MR. O'CONNOR: Objection to 11:43:39
7	feature of the checklist to you at this time. 11:42:10	7	form. 11:43:41
8	MR. O'CONNOR: Objection to 11:42:11	8	THE WITNESS: It was yes, it 11:43:41
9	form. 11:42:12	9	was stated it was suggested in 11:43:42
10	QUESTIONS BY MR. KO: 11:42:12	10	Southwood's. 11:43:44
11	Q. Correct? 11:42:13	11	QUESTIONS BY MR. KO: 11:43:45
12	A. So it was they were 11:42:13	12	Q. Okay. And that you felt 11:43:45
13	statements taken from Southwood, and I'm 11:42:17	13	that that was an important element to be 11:43:47
14	asking the question: Should we incorporate 11:42:19	14	included in the checklist at the time, 11:43:49
15	these questions? 11:42:21	15	correct? 11:43:51
16	Q. Okay. And you're asking the 11:42:23	16	A. So I pulled we pulled these 11:43:52
17	question, "should we incorporate," because 11:42:27	17	from Southwood's, but they were not 11:43:57
18	you have received a Federal Register Notice 11:42:28	18	applicable to the questions we asked 11:43:59
19	that suggests that you should consider asking 11:42:30	19	distributors. Some of them became part of a 11:44:02
20	those questions, correct? 11:42:32	20	pharmacy information sheet, so I'm I'm 11:44:05
21	MR. O'CONNOR: Objection to 11:42:33	21	confusing the names of our forms, and I 11:44:08
22	form. 11:42:35	22	apologize for that. 11:44:10
23	THE WITNESS: Yes. 11:42:35	23	So this was taken from 11:44:11
24	QUESTIONS BY MR. KO: 11:42:35	24	Southwood's for evaluation by the team: 11:44:12
25	Q. Okay. And one question that 11:42:35	25	Could we, should we, incorporate these 11:44:14
	Page 163		Page 165
1	you believe you should ask in light of 11:42:38	1	statements into our direct customer 11:44:17
2	reviewing Southwood is to determine the 11:42:41	2	checklist. 11:44:19
3	overall percentage of controlled substances 11:42:42	3	Q. Right. And thank you for that. 11:44:19
4	filled by a particular pharmacy, correct? 11:42:44	4	So these are questions that you 11:44:21
5	MR. O'CONNOR: Objection to 11:42:46	5	believe should be incorporated into the new 11:44:23
6	form. 11:42:47	6	customer checklist that you were working on 11:44:25
7	THE WITNESS: So we don't ship 11:42:47	7	in April of 2008, correct? 11:44:27
8	to pharmacies, so we adapted the 11:42:50	8	A. I did not know if we should 11:44:28
9	spirit of this question to ask the 11:42:53	9	should use them. 11:44:33
10	question of our distributor customers. 11:42:56	10	Q. But you believe that they were 11:44:33
11	QUESTIONS BY MR. KO: 11:42:59	11	good suggestions pursuant to your review of 11:44:36
12	Q. Right. 11:42:59	12	Southwood, correct? 11:44:39
13	But the idea is to understand, 11:43:00	13	MR. O'CONNOR: Objection to 11:44:40
14	notwithstanding the fact that you don't ship 11:43:02	14	form. 11:44:41
15	directly to pharmacies, the idea is to 11:43:04	15	THE WITNESS: So I pulled them 11:44:41
16	understand what overall percentage of a 11:43:08	16	out of Southwood, but I was learning 11:44:42
17	controlled substance is being filled by a 11:43:12	17	more and more about the 11:44:43
18	downstream pharmacy, that is, a customer of 11:43:13	18	business and our customers at the 11:44:45
19	one of your distributors, correct? 11:43:17	19	time, and I did not know if these had 11:44:48
20	MR. O'CONNOR: Objection to 11:43:18	20	relevance to be added to this direct 11:44:50
21	form. 11:43:19	21	customer checklist. 11:44:54
22	THE WITNESS: That's correct. 11:43:19	22	QUESTIONS BY MR. KO: 11:44:55
23	QUESTIONS BY MR. KO: 11:43:19	23	Q. Fair enough. 11:44:55
24	Q. Okay. And another important 11:43:20	24	Was the purpose of posing these 11:44:56
25	question that you glean from your review of 11:43:25	25	questions an attempt to understand more, as 11:45:00

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	Page 166		Page 168
1	you said, about Mallinckrodt's business? 11:45:04	1	questions as you learned from Southwood was 11:46:50
2	Correct? 11:45:06	2	to understand more about the downstream 11:46:52
3	MR. O'CONNOR: Objection to 11:45:07	3	customer of a distributor that you ship drugs 11:46:54
4	form. 11:45:08	4	to? 11:46:57
5	THE WITNESS: Yes. 11:45:08	5	MR. O'CONNOR: Objection to 11:46:57
6	QUESTIONS BY MR. KO: 11:45:09	6	form. 11:46:58
7	Q. And in particular, the 11:45:09	7	THE WITNESS: Yes. 11:46:58
8	questions you posed here you were considering 11:45:11	8	QUESTIONS BY MR. KO: 11:47:01
9	to include in your checklist because they 11:45:15	9	Q. Okay. Thank you. 11:47:02
10	provide details of the downstream customer 11:45:18	10	There's also a reference made, 11:47:04
11	that purchases drugs from distributors that 11:45:21	11	next item down next paragraph, excuse me, 11:47:08
12	you ship and sell to directly, correct? 11:45:25	12	starting with "Kim France." Do you see 11:47:13
13	MR. O'CONNOR: Objection to 11:45:27	13	there's a reference made to IntegriChain? 11:47:16
14	form. 11:45:28	14	To help orient you, I've 11:47:21
15	THE WITNESS: Correct. 11:45:28	15	highlighted it on the screen for you. 11:47:23
16	QUESTIONS BY MR. KO: 11:45:32	16	A. Oh, thank you. 11:47:25
17	Q. So is it fair to say that you 11:45:33	17	Q. Yeah. 11:47:25
18	are trying to understand details of where 11:45:35	18	A. Yes, I see it. 11:47:34
19	Mallinckrodt drugs end up in terms of which 11:45:41	19	Q. Okay. And you participated in 11:47:35
20	pharmacy or clinic they go to? 11:45:45	20	the potential retention of IntegriChain, did 11:47:37
21	MR. O'CONNOR: Objection to 11:45:46	21	you not? 11:47:42
22	form. 11:45:47	22	A. Correct. 11:47:42
23	THE WITNESS: We had two 11:45:47	23	Q. Okay. And so did Kimberly 11:47:42
24	checklists. 11:45:51	24	France, as I understand it? 11:47:49
25	May I restate this? Is that 11:45:51	25	A. Yes. 11:47:50
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	_		_
1	all right with you? 11:45:54	1	Q. And who is Ms. France? 11:47:50
2	all right with you? 11:45:54  QUESTIONS BY MR. KO: 11:45:54	2	<ul><li>Q. And who is Ms. France? 11:47:50</li><li>A. She was she was with the 11:47:51</li></ul>
2 3	all right with you? 11:45:54  QUESTIONS BY MR. KO: 11:45:54  Q. Yeah, sure. 11:45:55	2 3	Q. And who is Ms. France? 11:47:50  A. She was she was with the 11:47:51  patient and product monitoring group that had 11:47:53
2 3 4	all right with you? 11:45:54  QUESTIONS BY MR. KO: 11:45:54  Q. Yeah, sure. 11:45:55  A. So this was within the scope of 11:45:55	2 3 4	Q. And who is Ms. France? 11:47:50  A. She was she was with the 11:47:51  patient and product monitoring group that had 11:47:53  a different focus and goal than the DEA 11:47:56
2 3 4 5	all right with you? 11:45:54  QUESTIONS BY MR. KO: 11:45:54  Q. Yeah, sure. 11:45:55  A. So this was within the scope of 11:45:55 the suspicious order checklist going to our 11:45:59	2 3 4 5	Q. And who is Ms. France? 11:47:50  A. She was she was with the 11:47:51  patient and product monitoring group that had 11:47:53  a different focus and goal than the DEA 11:47:56  compliance group. 11:48:00
2 3 4 5 6	all right with you? 11:45:54  QUESTIONS BY MR. KO: 11:45:54  Q. Yeah, sure. 11:45:55  A. So this was within the scope of 11:45:55 the suspicious order checklist going to our 11:45:59 direct customers. Okay? So these questions 11:46:02	2 3 4 5 6	Q. And who is Ms. France? 11:47:50  A. She was she was with the 11:47:51  patient and product monitoring group that had 11:47:53  a different focus and goal than the DEA 11:47:56  compliance group. 11:48:00  Q. Okay. And both she and you 11:48:01
2 3 4 5 6 7	all right with you? 11:45:54  QUESTIONS BY MR. KO: 11:45:54  Q. Yeah, sure. 11:45:55  A. So this was within the scope of 11:45:55 the suspicious order checklist going to our 11:45:59 direct customers. Okay? So these questions 11:46:02 were not applicable to our business because 11:46:07	2 3 4 5 6 7	Q. And who is Ms. France? 11:47:50  A. She was she was with the 11:47:51  patient and product monitoring group that had 11:47:53  a different focus and goal than the DEA 11:47:56  compliance group. 11:48:00  Q. Okay. And both she and you 11:48:01  were involved in the potential retention of 11:48:06
2 3 4 5 6 7 8	all right with you? 11:45:54  QUESTIONS BY MR. KO: 11:45:54  Q. Yeah, sure. 11:45:55  A. So this was within the scope of 11:45:55 the suspicious order checklist going to our 11:45:59 direct customers. Okay? So these questions 11:46:02 were not applicable to our business because 11:46:07 we sold to wholesaler and distributor. 11:46:08	2 3 4 5 6 7 8	Q. And who is Ms. France? 11:47:50  A. She was she was with the 11:47:51  patient and product monitoring group that had 11:47:53  a different focus and goal than the DEA 11:47:56  compliance group. 11:48:00  Q. Okay. And both she and you 11:48:01  were involved in the potential retention of 11:48:06  IntegriChain during this 2008 time period, 11:48:08
2 3 4 5 6 7 8	all right with you? 11:45:54  QUESTIONS BY MR. KO: 11:45:54  Q. Yeah, sure. 11:45:55  A. So this was within the scope of 11:45:55 the suspicious order checklist going to our 11:45:59 direct customers. Okay? So these questions 11:46:02 were not applicable to our business because 11:46:07 we sold to wholesaler and distributor. 11:46:08  But as time went on, we 11:46:10	2 3 4 5 6 7 8	Q. And who is Ms. France? 11:47:50  A. She was she was with the 11:47:51  patient and product monitoring group that had 11:47:53  a different focus and goal than the DEA 11:47:56  compliance group. 11:48:00  Q. Okay. And both she and you 11:48:01  were involved in the potential retention of 11:48:06  IntegriChain during this 2008 time period, 11:48:08  correct? 11:48:12
2 3 4 5 6 7 8 9	all right with you? 11:45:54  QUESTIONS BY MR. KO: 11:45:54  Q. Yeah, sure. 11:45:55  A. So this was within the scope of 11:45:55 the suspicious order checklist going to our 11:45:59 direct customers. Okay? So these questions 11:46:02 were not applicable to our business because 11:46:07 we sold to wholesaler and distributor. 11:46:08  But as time went on, we 11:46:10 developed a pharmacy information sheet which, 11:46:13	2 3 4 5 6 7 8 9	Q. And who is Ms. France? 11:47:50 A. She was she was with the 11:47:51 patient and product monitoring group that had 11:47:53 a different focus and goal than the DEA 11:47:56 compliance group. 11:48:00 Q. Okay. And both she and you 11:48:01 were involved in the potential retention of 11:48:06 IntegriChain during this 2008 time period, 11:48:08 correct? 11:48:12 A. Yes, among others, yes. 11:48:12
2 3 4 5 6 7 8 9 10	all right with you?  QUESTIONS BY MR. KO:  Q. Yeah, sure.  A. So this was within the scope of 11:45:55  the suspicious order checklist going to our 11:45:59 direct customers. Okay? So these questions 11:46:02 were not applicable to our business because 11:46:07 we sold to wholesaler and distributor.  But as time went on, we 11:46:10 developed a pharmacy information sheet which, 11:46:13 when we had conversations with the 11:46:16	2 3 4 5 6 7 8 9 10	Q. And who is Ms. France? 11:47:50 A. She was she was with the 11:47:51 patient and product monitoring group that had 11:47:53 a different focus and goal than the DEA 11:47:56 compliance group. 11:48:00 Q. Okay. And both she and you 11:48:01 were involved in the potential retention of 11:48:06 IntegriChain during this 2008 time period, 11:48:08 correct? 11:48:12 A. Yes, among others, yes. 11:48:12 Q. Okay. And this e-mail 11:48:14
2 3 4 5 6 7 8 9 10 11	all right with you? 11:45:54  QUESTIONS BY MR. KO: 11:45:54  Q. Yeah, sure. 11:45:55  A. So this was within the scope of 11:45:55 the suspicious order checklist going to our 11:45:59 direct customers. Okay? So these questions 11:46:02 were not applicable to our business because 11:46:07 we sold to wholesaler and distributor. 11:46:08  But as time went on, we 11:46:10 developed a pharmacy information sheet which, 11:46:13 when we had conversations with the 11:46:16 distributors about their customers, we asked 11:46:18	2 3 4 5 6 7 8 9 10 11	Q. And who is Ms. France? 11:47:50 A. She was she was with the 11:47:51 patient and product monitoring group that had 11:47:53 a different focus and goal than the DEA 11:47:56 compliance group. 11:48:00 Q. Okay. And both she and you 11:48:01 were involved in the potential retention of 11:48:06 IntegriChain during this 2008 time period, 11:48:08 correct? 11:48:12 A. Yes, among others, yes. 11:48:12 Q. Okay. And this e-mail 11:48:14 specifically states from you that "one of the 11:48:16
2 3 4 5 6 7 8 9 10 11 12	all right with you? 11:45:54  QUESTIONS BY MR. KO: 11:45:54  Q. Yeah, sure. 11:45:55  A. So this was within the scope of 11:45:55 the suspicious order checklist going to our 11:45:59 direct customers. Okay? So these questions 11:46:02 were not applicable to our business because 11:46:07 we sold to wholesaler and distributor. 11:46:08  But as time went on, we 11:46:10 developed a pharmacy information sheet which, 11:46:13 when we had conversations with the 11:46:16 distributors about their customers, we asked 11:46:18 these questions from Southwood's: Are you 11:46:21	2 3 4 5 6 7 8 9 10 11 12 13	Q. And who is Ms. France? 11:47:50 A. She was she was with the 11:47:51 patient and product monitoring group that had 11:47:53 a different focus and goal than the DEA 11:47:56 compliance group. 11:48:00 Q. Okay. And both she and you 11:48:01 were involved in the potential retention of 11:48:06 IntegriChain during this 2008 time period, 11:48:08 correct? 11:48:12 A. Yes, among others, yes. 11:48:12 Q. Okay. And this e-mail 11:48:14 specifically states from you that "one of the 11:48:16 goals of the Mallinckrodt IntegriChain 11:48:19
2 3 4 5 6 7 8 9 10 11 12 13 14	all right with you? 11:45:54  QUESTIONS BY MR. KO: 11:45:54  Q. Yeah, sure. 11:45:55  A. So this was within the scope of 11:45:55 the suspicious order checklist going to our 11:45:59 direct customers. Okay? So these questions 11:46:02 were not applicable to our business because 11:46:07 we sold to wholesaler and distributor. 11:46:08  But as time went on, we 11:46:10 developed a pharmacy information sheet which, 11:46:13 when we had conversations with the 11:46:16 distributors about their customers, we asked 11:46:18 these questions from Southwood's: Are you 11:46:21 aware that your pharmacy customer has these 11:46:25	2 3 4 5 6 7 8 9 10 11 12 13	Q. And who is Ms. France? 11:47:50 A. She was she was with the 11:47:51 patient and product monitoring group that had 11:47:53 a different focus and goal than the DEA 11:47:56 compliance group. 11:48:00 Q. Okay. And both she and you 11:48:01 were involved in the potential retention of 11:48:06 IntegriChain during this 2008 time period, 11:48:08 correct? 11:48:12 A. Yes, among others, yes. 11:48:12 Q. Okay. And this e-mail 11:48:14 specifically states from you that "one of the 11:48:16 goals of the Mallinckrodt IntegriChain 11:48:19 project being considered as part of RiskMAP 11:48:22
2 3 4 5 6 7 8 9 10 11 12 13 14 15	all right with you? 11:45:54  QUESTIONS BY MR. KO: 11:45:55  A. So this was within the scope of 11:45:55  the suspicious order checklist going to our 11:45:59 direct customers. Okay? So these questions 11:46:02 were not applicable to our business because 11:46:07 we sold to wholesaler and distributor. 11:46:08  But as time went on, we 11:46:10 developed a pharmacy information sheet which, 11:46:13 when we had conversations with the 11:46:16 distributors about their customers, we asked 11:46:18 these questions from Southwood's: Are you 11:46:21 aware that your pharmacy customer has these 11:46:25 percentages, et cetera. 11:46:27	2 3 4 5 6 7 8 9 10 11 12 13 14	Q. And who is Ms. France? 11:47:50 A. She was she was with the 11:47:51 patient and product monitoring group that had 11:47:53 a different focus and goal than the DEA 11:47:56 compliance group. 11:48:00 Q. Okay. And both she and you 11:48:01 were involved in the potential retention of 11:48:06 IntegriChain during this 2008 time period, 11:48:08 correct? 11:48:12 A. Yes, among others, yes. 11:48:12 Q. Okay. And this e-mail 11:48:14 specifically states from you that "one of the 11:48:16 goals of the Mallinckrodt IntegriChain 11:48:19 project being considered as part of RiskMAP 11:48:22 is to combine prescription data from Verispan 11:48:24
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	all right with you? 11:45:54  QUESTIONS BY MR. KO: 11:45:55  A. So this was within the scope of 11:45:55 the suspicious order checklist going to our 11:45:59 direct customers. Okay? So these questions 11:46:02 were not applicable to our business because 11:46:07 we sold to wholesaler and distributor. 11:46:08  But as time went on, we 11:46:10 developed a pharmacy information sheet which, 11:46:13 when we had conversations with the 11:46:16 distributors about their customers, we asked 11:46:21 aware that your pharmacy customer has these percentages, et cetera. 11:46:27  So there are two checklists, 11:46:28	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. And who is Ms. France? 11:47:50 A. She was she was with the 11:47:51 patient and product monitoring group that had 11:47:53 a different focus and goal than the DEA 11:47:56 compliance group. 11:48:00 Q. Okay. And both she and you 11:48:01 were involved in the potential retention of 11:48:06 IntegriChain during this 2008 time period, 11:48:08 correct? 11:48:12 A. Yes, among others, yes. 11:48:12 Q. Okay. And this e-mail 11:48:14 specifically states from you that "one of the 11:48:16 goals of the Mallinckrodt IntegriChain 11:48:19 project being considered as part of RiskMAP 11:48:22 is to combine prescription data from Verispan 11:48:24 and IMS, added Mallinckrodt sales data and, 11:48:28
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	all right with you? 11:45:54  QUESTIONS BY MR. KO: 11:45:54  Q. Yeah, sure. 11:45:55  A. So this was within the scope of 11:45:55 the suspicious order checklist going to our 11:45:59 direct customers. Okay? So these questions 11:46:02 were not applicable to our business because 11:46:07 we sold to wholesaler and distributor. 11:46:08  But as time went on, we 11:46:10 developed a pharmacy information sheet which, 11:46:13 when we had conversations with the 11:46:16 distributors about their customers, we asked 11:46:21 aware that your pharmacy customer has these 11:46:25 percentages, et cetera. 11:46:27  So there are two checklists, 11:46:28 and I think they're getting interchanged 11:46:29	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. And who is Ms. France? 11:47:50 A. She was she was with the 11:47:51 patient and product monitoring group that had 11:47:53 a different focus and goal than the DEA 11:47:56 compliance group. 11:48:00 Q. Okay. And both she and you 11:48:01 were involved in the potential retention of 11:48:06 IntegriChain during this 2008 time period, 11:48:08 correct? 11:48:12 A. Yes, among others, yes. 11:48:12 Q. Okay. And this e-mail 11:48:14 specifically states from you that "one of the 11:48:16 goals of the Mallinckrodt IntegriChain 11:48:19 project being considered as part of RiskMAP 11:48:22 is to combine prescription data from Verispan 11:48:24 and IMS, added Mallinckrodt sales data and, 11:48:28 coupled with ARCOS data from DEA, to provide 11:48:32
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	all right with you? 11:45:54  QUESTIONS BY MR. KO: 11:45:54  Q. Yeah, sure. 11:45:55  A. So this was within the scope of 11:45:55 the suspicious order checklist going to our 11:45:59 direct customers. Okay? So these questions 11:46:02 were not applicable to our business because 11:46:07 we sold to wholesaler and distributor. 11:46:08  But as time went on, we 11:46:10 developed a pharmacy information sheet which, 11:46:13 when we had conversations with the 11:46:16 distributors about their customers, we asked 11:46:18 these questions from Southwood's: Are you 11:46:21 aware that your pharmacy customer has these 11:46:25 percentages, et cetera. 11:46:27  So there are two checklists, 11:46:28 and I think they're getting interchanged 11:46:29 here, and I apologize for the confusion. 11:46:31	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q. And who is Ms. France? 11:47:50 A. She was she was with the 11:47:51 patient and product monitoring group that had 11:47:53 a different focus and goal than the DEA 11:47:56 compliance group. 11:48:00 Q. Okay. And both she and you 11:48:01 were involved in the potential retention of 11:48:06 IntegriChain during this 2008 time period, 11:48:08 correct? 11:48:12 A. Yes, among others, yes. 11:48:12 Q. Okay. And this e-mail 11:48:14 specifically states from you that "one of the 11:48:16 goals of the Mallinckrodt IntegriChain 11:48:19 project being considered as part of RiskMAP 11:48:22 is to combine prescription data from Verispan 11:48:24 and IMS, added Mallinckrodt sales data and, 11:48:28 coupled with ARCOS data from DEA, to provide 11:48:32 a mechanism to detect diversion through the 11:48:34
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	all right with you? 11:45:54  QUESTIONS BY MR. KO: 11:45:55  A. So this was within the scope of 11:45:55  the suspicious order checklist going to our 11:45:59 direct customers. Okay? So these questions 11:46:02 were not applicable to our business because 11:46:07 we sold to wholesaler and distributor. 11:46:08  But as time went on, we 11:46:10 developed a pharmacy information sheet which, 11:46:13 when we had conversations with the 11:46:16 distributors about their customers, we asked 11:46:18 these questions from Southwood's: Are you 11:46:21 aware that your pharmacy customer has these 11:46:25 percentages, et cetera. 11:46:27  So there are two checklists, 11:46:28 and I think they're getting interchanged 11:46:31 Q. That's okay. I appreciate the 11:46:33	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. And who is Ms. France? 11:47:50 A. She was she was with the 11:47:51 patient and product monitoring group that had 11:47:53 a different focus and goal than the DEA 11:47:56 compliance group. 11:48:00 Q. Okay. And both she and you 11:48:01 were involved in the potential retention of 11:48:06 IntegriChain during this 2008 time period, 11:48:08 correct? 11:48:12 A. Yes, among others, yes. 11:48:12 Q. Okay. And this e-mail 11:48:14 specifically states from you that "one of the 11:48:16 goals of the Mallinckrodt IntegriChain 11:48:19 project being considered as part of RiskMAP 11:48:22 is to combine prescription data from Verispan 11:48:24 and IMS, added Mallinckrodt sales data and, 11:48:32 coupled with ARCOS data from DEA, to provide 11:48:32 a mechanism to detect diversion through the 11:48:34 supply chain." 11:48:37
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	all right with you?  QUESTIONS BY MR. KO:  Q. Yeah, sure.  A. So this was within the scope of 11:45:55  the suspicious order checklist going to our 11:45:59 direct customers. Okay? So these questions 11:46:02 were not applicable to our business because 11:46:07 we sold to wholesaler and distributor.  But as time went on, we 11:46:10 developed a pharmacy information sheet which, 11:46:13 when we had conversations with the 11:46:16 distributors about their customers, we asked 11:46:21 aware that your pharmacy customer has these 11:46:25 percentages, et cetera.  So there are two checklists, 11:46:28 and I think they're getting interchanged 11:46:31  Q. That's okay. I appreciate the 11:46:33 response. I just have a simple yes or no 11:46:37	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q. And who is Ms. France? 11:47:50 A. She was she was with the 11:47:51 patient and product monitoring group that had 11:47:53 a different focus and goal than the DEA 11:47:56 compliance group. 11:48:00 Q. Okay. And both she and you 11:48:01 were involved in the potential retention of 11:48:06 IntegriChain during this 2008 time period, 11:48:08 correct? 11:48:12 A. Yes, among others, yes. 11:48:12 Q. Okay. And this e-mail 11:48:14 specifically states from you that "one of the 11:48:16 goals of the Mallinckrodt IntegriChain 11:48:19 project being considered as part of RiskMAP 11:48:22 is to combine prescription data from Verispan 11:48:24 and IMS, added Mallinckrodt sales data and, 11:48:28 coupled with ARCOS data from DEA, to provide 11:48:32 a mechanism to detect diversion through the 11:48:34 supply chain." 11:48:37 Did I read that correctly? 11:48:38
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	all right with you?  QUESTIONS BY MR. KO:  Q. Yeah, sure.  A. So this was within the scope of 11:45:55  the suspicious order checklist going to our 11:45:59 direct customers. Okay? So these questions 11:46:02 were not applicable to our business because 11:46:07 we sold to wholesaler and distributor.  But as time went on, we 11:46:10 developed a pharmacy information sheet which, 11:46:13 when we had conversations with the 11:46:16 distributors about their customers, we asked 11:46:21 aware that your pharmacy customer has these 11:46:25 percentages, et cetera.  So there are two checklists, 11:46:28 and I think they're getting interchanged 11:46:31  Q. That's okay. I appreciate the 11:46:33 response. I just have a simple yes or no 11:46:37	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. And who is Ms. France? 11:47:50 A. She was she was with the 11:47:51 patient and product monitoring group that had 11:47:53 a different focus and goal than the DEA 11:47:56 compliance group. 11:48:00 Q. Okay. And both she and you 11:48:01 were involved in the potential retention of 11:48:06 IntegriChain during this 2008 time period, 11:48:08 correct? 11:48:12 A. Yes, among others, yes. 11:48:12 Q. Okay. And this e-mail 11:48:14 specifically states from you that "one of the 11:48:16 goals of the Mallinckrodt IntegriChain 11:48:19 project being considered as part of RiskMAP 11:48:22 is to combine prescription data from Verispan 11:48:24 and IMS, added Mallinckrodt sales data and, 11:48:28 coupled with ARCOS data from DEA, to provide 11:48:32 a mechanism to detect diversion through the 11:48:34 supply chain." 11:48:37 Did I read that correctly? 11:48:38
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	all right with you?  QUESTIONS BY MR. KO:  Q. Yeah, sure.  A. So this was within the scope of 11:45:55  the suspicious order checklist going to our 11:45:59 direct customers. Okay? So these questions 11:46:02 were not applicable to our business because 11:46:07 we sold to wholesaler and distributor.  But as time went on, we 11:46:10 developed a pharmacy information sheet which, 11:46:13 when we had conversations with the 11:46:16 distributors about their customers, we asked 11:46:18 these questions from Southwood's: Are you 11:46:21 aware that your pharmacy customer has these 11:46:25 percentages, et cetera.  So there are two checklists, 11:46:28 and I think they're getting interchanged 11:46:31  Q. That's okay. I appreciate the 11:46:33 response. I just have a simple yes or no 11:46:37 question.  11:46:40	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. And who is Ms. France? 11:47:50 A. She was she was with the 11:47:51 patient and product monitoring group that had 11:47:53 a different focus and goal than the DEA 11:47:56 compliance group. 11:48:00 Q. Okay. And both she and you 11:48:01 were involved in the potential retention of 11:48:06 IntegriChain during this 2008 time period, 11:48:08 correct? 11:48:12 A. Yes, among others, yes. 11:48:12 Q. Okay. And this e-mail 11:48:14 specifically states from you that "one of the 11:48:16 goals of the Mallinckrodt IntegriChain 11:48:19 project being considered as part of RiskMAP 11:48:22 is to combine prescription data from Verispan 11:48:24 and IMS, added Mallinckrodt sales data and, 11:48:28 coupled with ARCOS data from DEA, to provide 11:48:32 a mechanism to detect diversion through the 11:48:34 supply chain." 11:48:37 Did I read that correctly? 11:48:38 A. Yes, you did. 11:48:39
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	all right with you?  QUESTIONS BY MR. KO:  Q. Yeah, sure.  A. So this was within the scope of 11:45:55  A. So this was within the scope of 11:45:55  the suspicious order checklist going to our 11:45:59 direct customers. Okay? So these questions 11:46:02 were not applicable to our business because 11:46:07 we sold to wholesaler and distributor.  But as time went on, we 11:46:10 developed a pharmacy information sheet which, 11:46:13 when we had conversations with the 11:46:16 distributors about their customers, we asked 11:46:18 these questions from Southwood's: Are you 11:46:21 aware that your pharmacy customer has these 11:46:25 percentages, et cetera.  So there are two checklists, 11:46:28 and I think they're getting interchanged 11:46:31  Q. That's okay. I appreciate the 11:46:33 response. I just have a simple yes or no 11:46:37 question.  11:46:40  A. All right.  11:46:41	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. And who is Ms. France? 11:47:50 A. She was she was with the 11:47:51 patient and product monitoring group that had 11:47:53 a different focus and goal than the DEA 11:47:56 compliance group. 11:48:00 Q. Okay. And both she and you 11:48:01 were involved in the potential retention of 11:48:06 IntegriChain during this 2008 time period, 11:48:08 correct? 11:48:12 A. Yes, among others, yes. 11:48:12 Q. Okay. And this e-mail 11:48:14 specifically states from you that "one of the 11:48:16 goals of the Mallinckrodt IntegriChain 11:48:19 project being considered as part of RiskMAP 11:48:22 is to combine prescription data from Verispan 11:48:24 and IMS, added Mallinckrodt sales data and, 11:48:32 coupled with ARCOS data from DEA, to provide 11:48:32 a mechanism to detect diversion through the 11:48:34 supply chain." 11:48:37 Did I read that correctly? 11:48:38 A. Yes, you did. 11:48:39 Q. Okay. And so was one of the 11:48:42
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	all right with you?  QUESTIONS BY MR. KO:  Q. Yeah, sure.  A. So this was within the scope of 11:45:55  the suspicious order checklist going to our 11:45:59 direct customers. Okay? So these questions 11:46:02 were not applicable to our business because 11:46:07 we sold to wholesaler and distributor.  But as time went on, we 11:46:10 developed a pharmacy information sheet which, 11:46:13 when we had conversations with the 11:46:16 distributors about their customers, we asked 11:46:21 aware that your pharmacy customer has these 11:46:25 percentages, et cetera.  So there are two checklists, 11:46:28 and I think they're getting interchanged 11:46:31  Q. That's okay. I appreciate the 11:46:33 response. I just have a simple yes or no 11:46:37 question.  A. All right.  11:46:41 Q. Is it accurate to say, yes or 11:46:41	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. And who is Ms. France? 11:47:50 A. She was she was with the 11:47:51 patient and product monitoring group that had 11:47:53 a different focus and goal than the DEA 11:47:56 compliance group. 11:48:00 Q. Okay. And both she and you 11:48:01 were involved in the potential retention of 11:48:06 IntegriChain during this 2008 time period, 11:48:08 correct? 11:48:12 A. Yes, among others, yes. 11:48:12 Q. Okay. And this e-mail 11:48:14 specifically states from you that "one of the 11:48:16 goals of the Mallinckrodt IntegriChain 11:48:19 project being considered as part of RiskMAP 11:48:22 is to combine prescription data from Verispan 11:48:24 and IMS, added Mallinckrodt sales data and, 11:48:28 coupled with ARCOS data from DEA, to provide 11:48:32 a mechanism to detect diversion through the 11:48:34 supply chain." 11:48:37 Did I read that correctly? 11:48:38 A. Yes, you did. 11:48:39 Q. Okay. And so was one of the 11:48:42 purposes of trying to retain IntegriChain to 11:48:44

	5 1		4
	Page 170		Page 172
1	Mallinckrodt facilities in Hobart and 11:48:54	1	Do you have any reason to 11:50:58
2	St. Louis? 11:48:56	2	dispute that? 11:50:59
3	A. We were looking at that as a 11:48:57	3	MR. O'CONNOR: Objection to 11:51:00
4	possibility, yes. 11:49:01	4	form. 11:51:00
5	Q. Okay. And so you were trying 11:49:01	5	THE WITNESS: I have no reason 11:51:00
6	to understand and trying to detect diversion 11:49:02	6	to dispute it. 11:51:01
7	throughout the supply chain with the help of 11:49:05	7	QUESTIONS BY MR. KO: 11:51:02
8	IntegriChain; is that correct? 11:49:09	8	Q. Okay. So do you recall 11:51:02
9	MR. O'CONNOR: Objection to 11:49:11	9	actually asking for approval from Mr. Ratliff 11:51:04
10	form. 11:49:12	10	to participate in the potential retention of 11:51:07
11	THE WITNESS: Yes, that is the 11:49:12	11	IntegriChain? 11:51:09
12	service they offered, yes. 11:49:13	12	A. I do. 11:51:10
13	QUESTIONS BY MR. KO: 11:49:20	13	Q. Okay. And that was obviously 11:51:11
14	Q. Okay. And can you generally 11:49:21	14	prior to this date, but do you recall whether 11:51:13
15	describe to the Court your involvement with 11:49:22	15	or not that was in the 2007 time period? 11:51:15
16	this project? 11:49:23	16	A. I don't recall the date, I'm 11:51:17
17	A. IntegriChain came in to 11:49:24	17	sorry. 11:51:21
18	Mallinckrodt and gave one or two 11:49:28	18	Q. Okay. I want to go forward to 11:51:21
19	presentations. I'm not certain. And then we 11:49:30	19	the second attachment, titled "IntegriChain 11:51:29
20	evaluated the merit of adding that to our 11:49:35	20	Pilot Program and Overview." And I don't 11:51:33
21	suspicious order monitoring, and we decided 11:49:39	21	we don't need to go through this in detail, 11:51:36
22	not to add IntegriChain's services. 11:49:40	22	but do you recall who actually drafted this 11:51:38
23	Q. And why did you decide not to 11:49:43	23	language? 11:51:45
24	retain them? 11:49:45	24	A. It was not me. 11:51:46
25	A. So IntegriChain was a vendor, 11:49:45	25	Q. Okay. Was it someone at 11:51:49
	Page 171		Page 173
1	and their data collection did not add value 11:49:49	1	Mallinckrodt? 11:51:50
2	from our perspective to our suspicious order 11:49:54	2	A. I do not know, or if it was 11:51:50
3	monitoring program at the time. 11:49:57	3	IntegriChain. 11:51:53
4	Q. Uh-huh. And why did you feel 11:49:58	4	Q. Okay. But as far as you know, 11:51:54
5	like they did not add value? 11:50:00	5	you didn't draft this particular language, 11:51:55
6	A. Well, it was a multitude of 11:50:01	6	correct? 11:51:57
7	data from different sources, not necessarily 11:50:06	7	A. I'm positive I did not. 11:51:57
8	specific to Mallinckrodt data, and we 11:50:10	8	Q. Okay. Despite not knowing who 11:51:59
9	evaluated it, as I said. 11:50:14	9	may have drafted it, as you said, you were 11:52:07
10	This also says "coupled with 11:50:16	10	considering retention of IntegriChain because 11:52:09
11	ARCOS data from DEA." DEA has steadfastly 11:50:18	11	they were going to hopefully help detect 11:52:13
12	throughout time refused to share ARCOS data 11:50:22	12	diversion throughout the supply chain. So 11:52:17
13	with anyone, and so that was another key 11:50:25	13	separate and apart from what I'm 11:52:19
14	component of their program. 11:50:28	14	highlighting, sorry. 11:52:22
11-	0 0 1 11 70 01	15	A. Oh, I'm sorry. 11:52:22
15	So for those reasons we 11:50:31		
16	declined the service. 11:50:32	16	Q. Yeah, no, that's okay. Let me 11:52:23
	declined the service. 11:50:32  Q. Do you recall how long you 11:50:34		repeat. 11:52:25
16	declined the service. 11:50:32  Q. Do you recall how long you 11:50:34 evaluated whether or not you were going to 11:50:35	16	repeat. 11:52:25 A. Okay. 11:52:26
16 17	declined the service. 11:50:32  Q. Do you recall how long you 11:50:34 evaluated whether or not you were going to 11:50:35 retain IntegriChain? 11:50:36	16 17	repeat. 11:52:25  A. Okay. 11:52:26  Q. You were considering the 11:52:26
16 17 18	declined the service. 11:50:32  Q. Do you recall how long you 11:50:34 evaluated whether or not you were going to 11:50:35	16 17 18	repeat. 11:52:25 A. Okay. 11:52:26
16 17 18 19	declined the service. 11:50:32  Q. Do you recall how long you 11:50:34 evaluated whether or not you were going to 11:50:35 retain IntegriChain? 11:50:36	16 17 18 19	repeat. 11:52:25  A. Okay. 11:52:26  Q. You were considering the 11:52:26
16 17 18 19 20	declined the service. 11:50:32  Q. Do you recall how long you 11:50:34 evaluated whether or not you were going to 11:50:35 retain IntegriChain? 11:50:36  A. It was straightaway, shortly 11:50:38	16 17 18 19 20	repeat. 11:52:25  A. Okay. 11:52:26  Q. You were considering the 11:52:26  retention of IntegriChain because they were 11:52:27
16 17 18 19 20 21	declined the service. 11:50:32  Q. Do you recall how long you 11:50:34 evaluated whether or not you were going to 11:50:35 retain IntegriChain? 11:50:36  A. It was straightaway, shortly 11:50:38 after their one or two presentations. 11:50:42	16 17 18 19 20 21	repeat. 11:52:25  A. Okay. 11:52:26  Q. You were considering the 11:52:26  retention of IntegriChain because they were going to help detect diversion throughout the 11:52:30
16 17 18 19 20 21 22	declined the service. 11:50:32  Q. Do you recall how long you 11:50:34 evaluated whether or not you were going to 11:50:35 retain IntegriChain? 11:50:36  A. It was straightaway, shortly 11:50:38 after their one or two presentations. 11:50:42 Q. Okay. I have seen reference to 11:50:46	16 17 18 19 20 21 22	repeat.  A. Okay.  11:52:26  Q. You were considering the 11:52:26  retention of IntegriChain because they were going to help detect diversion throughout the 11:52:30 supply chain, correct?  11:52:25  11:52:26  11:52:27

	Page 174		Page 176
1	what they advertised. Yes. 11:52:33	1	8
2	QUESTIONS BY MR. KO: 11:52:36	2	events, correct? 11:54:10
3	Q. That was the intent? 11:52:37	3	A. Yes. 11:54:11
4	A. Yes. 11:52:37	4	Q. Why would why would not 11:54:12
5	Q. And one of the ways that they 11:52:38	5	considering an adverse event be a fruitful 11:54:17
6	would do that was through capturing at 11:52:39	6	thing to do in connection with trying to 11:54:20
7	least representing to you that they would 11:52:41	7	detect suspicious orders? 11:54:22
8	capture detailed data, correct? 11:52:43	8	MR. O'CONNOR: Objection to 11:54:23
9	A. Correct. 11:52:45	9	form. 11:54:24
10	Q. And so and in particular, in 11:52:46	10	THE WITNESS: Adverse events 11:54:25
11	the second sentence of this background 11:52:48	11	were handled by patient and product 11:54:27
12	material, it indicates that "detailed data 11:52:51	12	monitoring, and they were events such 11:54:30
13	through surveillance and pharmacovigilance is 11:52:56	13	as a doctor had a patient on the 11:54:34
14	an important resource for the company." 11:53:00	14	operating table and had administered a 11:54:35
15	Do you see that? 11:53:02	15	Mallinckrodt medication and there was 11:54:37
16	A. I do see that. 11:53:03	16	some unexpected symptom occurring. So 11:54:38
17	Q. Would you agree with that 11:53:03	17	it was like a hotline of 11:54:44
18	statement? 11:53:04	18	pharmacovigilance. 11:54:47
19	A. I would not. 11:53:04	19	QUESTIONS BY MR. KO: 11:54:49
20	Q. You don't believe detailed data 11:53:05	20	Q. Okay. And was that did 11:54:49
21	is an important resource for the company? 11:53:08	21	during your time at Mallinckrodt, did you 11:54:51
22	A. I don't understand how 11:53:09	22	ever receive or were you aware of any 11:54:54
23	pharmacovigilance, which in my understanding 11:53:10	23	adverse event reports related to diversion? 11:55:00
24	is adverse event reporting, could be an 11:53:12	24	MR. O'CONNOR: Objection to 11:55:02
25	important resource for the company. 11:53:18	25	form. 11:55:03
	Page 175		Page 177
	rage 173		rage 177
1	Also, this statement may I 11:53:20	1	THE WITNESS: Yes. 11:55:03
1 2	_	1 2	_
	Also, this statement may I 11:53:20		THE WITNESS: Yes. 11:55:03
2	Also, this statement may I 11:53:20 say something else, please? 11:53:22	2	THE WITNESS: Yes. 11:55:03  QUESTIONS BY MR. KO: 11:55:08
2	Also, this statement may I 11:53:20 say something else, please? 11:53:22 Q. Of course. 11:53:24	2	THE WITNESS: Yes. 11:55:03  QUESTIONS BY MR. KO: 11:55:08  Q. Okay. And did you during 11:55:08
2 3 4	Also, this statement may I 11:53:20 say something else, please? 11:53:22 Q. Of course. 11:53:24 A. So this document, it switches 11:53:24	2	THE WITNESS: Yes. 11:55:03  QUESTIONS BY MR. KO: 11:55:08  Q. Okay. And did you during 11:55:08  your time at Mallinckrodt, did you ever 11:55:13
2 3 4 5	Also, this statement may I 11:53:20 say something else, please? 11:53:22 Q. Of course. 11:53:24 A. So this document, it switches 11:53:24 back and forth, so it's confusing in terms of 11:53:26	2 3 4 5	THE WITNESS: Yes. 11:55:03  QUESTIONS BY MR. KO: 11:55:08  Q. Okay. And did you during 11:55:08  your time at Mallinckrodt, did you ever 11:55:13  receive or were you aware of any adverse 11:55:15
2 3 4 5 6	Also, this statement may I 11:53:20 say something else, please? 11:53:22 Q. Of course. 11:53:24 A. So this document, it switches 11:53:24 back and forth, so it's confusing in terms of 11:53:26 they're talking about "the company," 11:53:30	2 3 4 5 6	THE WITNESS: Yes. 11:55:03  QUESTIONS BY MR. KO: 11:55:08  Q. Okay. And did you during 11:55:08  your time at Mallinckrodt, did you ever 11:55:13  receive or were you aware of any adverse 11:55:15  event reports related to the abuse of 11:55:18
2 3 4 5 6 7	Also, this statement may I 11:53:20 say something else, please? 11:53:22 Q. Of course. 11:53:24 A. So this document, it switches 11:53:24 back and forth, so it's confusing in terms of 11:53:26 they're talking about "the company," 11:53:30 Mallinckrodt, but then "our company," 11:53:33	2 3 4 5 6 7	THE WITNESS: Yes. 11:55:03  QUESTIONS BY MR. KO: 11:55:08  Q. Okay. And did you during 11:55:08  your time at Mallinckrodt, did you ever 11:55:13  receive or were you aware of any adverse 11:55:15  event reports related to the abuse of 11:55:18  prescription opioids manufactured by 11:55:20
2 3 4 5 6 7 8	Also, this statement may I 11:53:20 say something else, please? 11:53:22 Q. Of course. 11:53:24 A. So this document, it switches 11:53:24 back and forth, so it's confusing in terms of 11:53:26 they're talking about "the company," 11:53:30 Mallinckrodt, but then "our company," 11:53:33 indicating IntegriChain. 11:53:36	2 3 4 5 6 7 8	THE WITNESS: Yes. 11:55:03  QUESTIONS BY MR. KO: 11:55:08  Q. Okay. And did you during 11:55:08  your time at Mallinckrodt, did you ever 11:55:13  receive or were you aware of any adverse event reports related to the abuse of 11:55:18  prescription opioids manufactured by 11:55:20  Mallinckrodt? 11:55:23
2 3 4 5 6 7 8	Also, this statement may I 11:53:20 say something else, please? 11:53:22 Q. Of course. 11:53:24 A. So this document, it switches 11:53:24 back and forth, so it's confusing in terms of 11:53:26 they're talking about "the company," 11:53:30 Mallinckrodt, but then "our company," 11:53:33 indicating IntegriChain. 11:53:36 So it's difficult to to 11:53:38	2 3 4 5 6 7 8	THE WITNESS: Yes. 11:55:03  QUESTIONS BY MR. KO: 11:55:08  Q. Okay. And did you during 11:55:08  your time at Mallinckrodt, did you ever 11:55:13  receive or were you aware of any adverse 11:55:15  event reports related to the abuse of 11:55:18  prescription opioids manufactured by 11:55:20  Mallinckrodt? 11:55:23  A. Yes. 11:55:24
2 3 4 5 6 7 8 9	Also, this statement may I 11:53:20 say something else, please? 11:53:22 Q. Of course. 11:53:24 A. So this document, it switches 11:53:24 back and forth, so it's confusing in terms of 11:53:26 they're talking about "the company," 11:53:30 Mallinckrodt, but then "our company," 11:53:33 indicating IntegriChain. 11:53:36 So it's difficult to to 11:53:38 define every sentence and under 11:53:43	2 3 4 5 6 7 8 9	THE WITNESS: Yes. 11:55:03  QUESTIONS BY MR. KO: 11:55:08  Q. Okay. And did you during 11:55:08  your time at Mallinckrodt, did you ever 11:55:13  receive or were you aware of any adverse 11:55:15  event reports related to the abuse of 11:55:18  prescription opioids manufactured by 11:55:20  Mallinckrodt? 11:55:23  A. Yes. 11:55:24  Q. Okay. And notwithstanding the 11:55:27
2 3 4 5 6 7 8 9 10	Also, this statement may I 11:53:20 say something else, please? 11:53:22 Q. Of course. 11:53:24 A. So this document, it switches 11:53:24 back and forth, so it's confusing in terms of 11:53:26 they're talking about "the company," 11:53:30 Mallinckrodt, but then "our company," 11:53:33 indicating IntegriChain. 11:53:36 So it's difficult to to 11:53:38 define every sentence and under 11:53:43 Q. Sure. Fair enough. 11:53:46	2 3 4 5 6 7 8 9 10	THE WITNESS: Yes. 11:55:03  QUESTIONS BY MR. KO: 11:55:08  Q. Okay. And did you during 11:55:08  your time at Mallinckrodt, did you ever 11:55:13  receive or were you aware of any adverse 11:55:15  event reports related to the abuse of 11:55:18  prescription opioids manufactured by 11:55:20  Mallinckrodt? 11:55:23  A. Yes. 11:55:24  Q. Okay. And notwithstanding the 11:55:27  fact that some of these adverse event reports 11:55:29
2 3 4 5 6 7 8 9 10 11	Also, this statement may I 11:53:20 say something else, please? 11:53:22 Q. Of course. 11:53:24 A. So this document, it switches 11:53:24 back and forth, so it's confusing in terms of 11:53:26 they're talking about "the company," 11:53:30 Mallinckrodt, but then "our company," 11:53:33 indicating IntegriChain. 11:53:36 So it's difficult to to 11:53:38 define every sentence and under 11:53:43 Q. Sure. Fair enough. 11:53:46 A. Thank you. Thank you. 11:53:47	2 3 4 5 6 7 8 9 10 11	THE WITNESS: Yes. 11:55:03  QUESTIONS BY MR. KO: 11:55:08  Q. Okay. And did you during 11:55:08  your time at Mallinckrodt, did you ever 11:55:13  receive or were you aware of any adverse 11:55:15  event reports related to the abuse of 11:55:18  prescription opioids manufactured by 11:55:20  Mallinckrodt? 11:55:23  A. Yes. 11:55:24  Q. Okay. And notwithstanding the 11:55:27  fact that some of these adverse event reports 11:55:29  included instances of diversion and abuse, 11:55:31
2 3 4 5 6 7 8 9 10 11 12 13	Also, this statement may I 11:53:20 say something else, please? 11:53:22 Q. Of course. 11:53:24 A. So this document, it switches 11:53:24 back and forth, so it's confusing in terms of 11:53:26 they're talking about "the company," 11:53:30 Mallinckrodt, but then "our company," 11:53:33 indicating IntegriChain. 11:53:36 So it's difficult to to 11:53:38 define every sentence and under 11:53:43 Q. Sure. Fair enough. 11:53:47 Q. Fair enough. And we can put 11:53:47	2 3 4 5 6 7 8 9 10 11 12 13	THE WITNESS: Yes. 11:55:03  QUESTIONS BY MR. KO: 11:55:08  Q. Okay. And did you during 11:55:08  your time at Mallinckrodt, did you ever 11:55:13  receive or were you aware of any adverse 11:55:15  event reports related to the abuse of 11:55:18  prescription opioids manufactured by 11:55:20  Mallinckrodt? 11:55:23  A. Yes. 11:55:24  Q. Okay. And notwithstanding the 11:55:27  fact that some of these adverse event reports 11:55:29  included instances of diversion and abuse, 11:55:31  you don't believe that it was necessary to 11:55:35
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2 3 4 5 6 7 8 9 10 11 12 13 14 15	Also, this statement may I 11:53:20 say something else, please? 11:53:22 Q. Of course. 11:53:24 A. So this document, it switches 11:53:24 back and forth, so it's confusing in terms of 11:53:26 they're talking about "the company," 11:53:30 Mallinckrodt, but then "our company," 11:53:33 indicating IntegriChain. 11:53:36 So it's difficult to to 11:53:38 define every sentence and under 11:53:43 Q. Sure. Fair enough. 11:53:46 A. Thank you. Thank you. 11:53:47 the document aside because I don't mean to 11:53:49 put you through a memory test of the actual 11:53:51	2 3 4 5 6 7 8 9 10 11 12 13 14	THE WITNESS: Yes. 11:55:03  QUESTIONS BY MR. KO: 11:55:08  Q. Okay. And did you during 11:55:08  your time at Mallinckrodt, did you ever 11:55:13  receive or were you aware of any adverse 11:55:15  event reports related to the abuse of 11:55:18  prescription opioids manufactured by 11:55:20  Mallinckrodt? 11:55:23  A. Yes. 11:55:24  Q. Okay. And notwithstanding the 11:55:27  fact that some of these adverse event reports 11:55:31  you don't believe that it was necessary to 11:55:35  include these or consider these reports in 11:55:37  connection with Mallinckrodt's duties to 11:55:40
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Also, this statement may I 11:53:20 say something else, please? 11:53:22 Q. Of course. 11:53:24 A. So this document, it switches 11:53:24 back and forth, so it's confusing in terms of 11:53:26 they're talking about "the company," 11:53:30 Mallinckrodt, but then "our company," 11:53:33 indicating IntegriChain. 11:53:36 So it's difficult to to 11:53:38 define every sentence and under 11:53:43 Q. Sure. Fair enough. 11:53:46 A. Thank you. Thank you. 11:53:47 the document aside because I don't mean to 11:53:49 put you through a memory test of the actual 11:53:51 document. 11:53:53	2 3 4 5 6 7 8 9 10 11 12 13 14 15	THE WITNESS: Yes. 11:55:03  QUESTIONS BY MR. KO: 11:55:08  Q. Okay. And did you during 11:55:08  your time at Mallinckrodt, did you ever 11:55:13  receive or were you aware of any adverse 11:55:15  event reports related to the abuse of 11:55:18  prescription opioids manufactured by 11:55:20  Mallinckrodt? 11:55:23  A. Yes. 11:55:24  Q. Okay. And notwithstanding the 11:55:27  fact that some of these adverse event reports 11:55:29  included instances of diversion and abuse, 11:55:31  you don't believe that it was necessary to 11:55:35  include these or consider these reports in 11:55:40  implement and design a suspicious order 11:55:42
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Also, this statement may I 11:53:20 say something else, please? 11:53:22 Q. Of course. 11:53:24 A. So this document, it switches 11:53:24 back and forth, so it's confusing in terms of 11:53:26 they're talking about "the company," 11:53:30 Mallinckrodt, but then "our company," 11:53:33 indicating IntegriChain. 11:53:36 So it's difficult to to 11:53:38 define every sentence and under 11:53:43 Q. Sure. Fair enough. 11:53:46 A. Thank you. Thank you. 11:53:47 the document aside because I don't mean to 11:53:49 put you through a memory test of the actual 11:53:51 document. 11:53:53 A. Okay. 11:53:53	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	THE WITNESS: Yes. 11:55:03  QUESTIONS BY MR. KO: 11:55:08  Q. Okay. And did you during 11:55:08  your time at Mallinckrodt, did you ever 11:55:13  receive or were you aware of any adverse 11:55:15  event reports related to the abuse of 11:55:18  prescription opioids manufactured by 11:55:20  Mallinckrodt? 11:55:23  A. Yes. 11:55:24  Q. Okay. And notwithstanding the 11:55:27  fact that some of these adverse event reports 11:55:31  you don't believe that it was necessary to 11:55:35  include these or consider these reports in 11:55:37  connection with Mallinckrodt's duties to 11:55:40  implement and design a suspicious order 11:55:42  monitoring program? 11:55:44
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Also, this statement may I 11:53:20 say something else, please? 11:53:22 Q. Of course. 11:53:24 A. So this document, it switches 11:53:24 back and forth, so it's confusing in terms of 11:53:26 they're talking about "the company," 11:53:30 Mallinckrodt, but then "our company," 11:53:33 indicating IntegriChain. 11:53:36 So it's difficult to to 11:53:38 define every sentence and under 11:53:43 Q. Sure. Fair enough. 11:53:47 Q. Fair enough. And we can put 11:53:47 the document aside because I don't mean to 11:53:49 put you through a memory test of the actual 11:53:51 document. 11:53:53 A. Okay. 11:53:53 Whether or not you believe detailed data is 11:53:55	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	THE WITNESS: Yes. 11:55:03  QUESTIONS BY MR. KO: 11:55:08  Q. Okay. And did you during 11:55:08  your time at Mallinckrodt, did you ever 11:55:13  receive or were you aware of any adverse 11:55:15  event reports related to the abuse of 11:55:18  prescription opioids manufactured by 11:55:20  Mallinckrodt? 11:55:23  A. Yes. 11:55:24  Q. Okay. And notwithstanding the 11:55:27  fact that some of these adverse event reports 11:55:31  you don't believe that it was necessary to 11:55:35  include these or consider these reports in 11:55:37  connection with Mallinckrodt's duties to 11:55:40  implement and design a suspicious order 11:55:42  monitoring program? 11:55:44  MR. O'CONNOR: Objection to 11:55:44  form. 11:55:46
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Also, this statement may I 11:53:20 say something else, please? 11:53:22 Q. Of course. 11:53:24 A. So this document, it switches 11:53:24 back and forth, so it's confusing in terms of 11:53:26 they're talking about "the company," 11:53:30 Mallinckrodt, but then "our company," 11:53:33 indicating IntegriChain. 11:53:36 So it's difficult to to 11:53:38 define every sentence and under 11:53:43 Q. Sure. Fair enough. 11:53:46 A. Thank you. Thank you. 11:53:47 Q. Fair enough. And we can put 11:53:47 the document aside because I don't mean to 11:53:49 put you through a memory test of the actual 11:53:51 document. 11:53:53 A. Okay. 11:53:53 whether or not you believe detailed data is 11:53:55 an important resource for the company to 11:53:57	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	THE WITNESS: Yes. 11:55:03  QUESTIONS BY MR. KO: 11:55:08  Q. Okay. And did you during 11:55:08  your time at Mallinckrodt, did you ever 11:55:13  receive or were you aware of any adverse 11:55:15  event reports related to the abuse of 11:55:18  prescription opioids manufactured by 11:55:20  Mallinckrodt? 11:55:23  A. Yes. 11:55:24  Q. Okay. And notwithstanding the 11:55:27  fact that some of these adverse event reports 11:55:29  included instances of diversion and abuse, 11:55:31  you don't believe that it was necessary to 11:55:35  include these or consider these reports in 11:55:37  connection with Mallinckrodt's duties to 11:55:40  implement and design a suspicious order 11:55:42  monitoring program? 11:55:44  MR. O'CONNOR: Objection to 11:55:44  form. 11:55:46  THE WITNESS: So this was one 11:55:46
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Also, this statement may I 11:53:20 say something else, please? 11:53:22 Q. Of course. 11:53:24 A. So this document, it switches 11:53:24 back and forth, so it's confusing in terms of 11:53:26 they're talking about "the company," 11:53:30 Mallinckrodt, but then "our company," 11:53:33 indicating IntegriChain. 11:53:36 So it's difficult to to 11:53:38 define every sentence and under 11:53:43 Q. Sure. Fair enough. 11:53:46 A. Thank you. Thank you. 11:53:47 the document aside because I don't mean to 11:53:49 put you through a memory test of the actual 11:53:51 document. 11:53:53 Q. I would just ask you separately 11:53:55 an important resource for the company to 11:53:57 utilize in trying to detect diversion. 11:54:00	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	THE WITNESS: Yes. 11:55:03  QUESTIONS BY MR. KO: 11:55:08  Q. Okay. And did you during 11:55:13  receive or were you aware of any adverse 11:55:15  event reports related to the abuse of 11:55:18  prescription opioids manufactured by 11:55:20  Mallinckrodt? 11:55:23  A. Yes. 11:55:24  Q. Okay. And notwithstanding the 11:55:27  fact that some of these adverse event reports 11:55:31  you don't believe that it was necessary to 11:55:35  include these or consider these reports in 11:55:40  implement and design a suspicious order 11:55:40  implement and design a suspicious order 11:55:42  MR. O'CONNOR: Objection to 11:55:44  form. 11:55:46  THE WITNESS: So this was one 11:55:46  of the tools that was offered to us, 11:55:49
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Also, this statement may I 11:53:20 say something else, please? 11:53:22 Q. Of course. 11:53:24 A. So this document, it switches 11:53:24 back and forth, so it's confusing in terms of 11:53:26 they're talking about "the company," 11:53:30 Mallinckrodt, but then "our company," 11:53:33 indicating IntegriChain. 11:53:36 So it's difficult to to 11:53:38 define every sentence and under 11:53:43 Q. Sure. Fair enough. 11:53:46 A. Thank you. Thank you. 11:53:47 Q. Fair enough. And we can put 11:53:47 the document aside because I don't mean to 11:53:49 put you through a memory test of the actual 11:53:51 document. 11:53:53 A. Okay. 11:53:53 Q. I would just ask you separately 11:53:53 whether or not you believe detailed data is 11:53:57 utilize in trying to detect diversion. 11:54:00 A. Yes. In general, yes. 11:54:03	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	THE WITNESS: Yes. 11:55:03  QUESTIONS BY MR. KO: 11:55:08  Q. Okay. And did you during 11:55:08  your time at Mallinckrodt, did you ever 11:55:13  receive or were you aware of any adverse 11:55:15  event reports related to the abuse of 11:55:18  prescription opioids manufactured by 11:55:20  Mallinckrodt? 11:55:23  A. Yes. 11:55:24  Q. Okay. And notwithstanding the 11:55:27  fact that some of these adverse event reports 11:55:29  included instances of diversion and abuse, 11:55:31  you don't believe that it was necessary to 11:55:35  include these or consider these reports in 11:55:37  connection with Mallinckrodt's duties to 11:55:40  implement and design a suspicious order 11:55:42  monitoring program? 11:55:44  MR. O'CONNOR: Objection to 11:55:46  of the tools that was offered to us, 11:55:49  among many, and eventually we realized 11:55:51
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Also, this statement may I 11:53:20 say something else, please? 11:53:22 Q. Of course. 11:53:24 A. So this document, it switches 11:53:24 back and forth, so it's confusing in terms of 11:53:26 they're talking about "the company," 11:53:30 Mallinckrodt, but then "our company," 11:53:33 indicating IntegriChain. 11:53:36 So it's difficult to to 11:53:38 define every sentence and under 11:53:43 Q. Sure. Fair enough. 11:53:46 A. Thank you. Thank you. 11:53:47 the document aside because I don't mean to 11:53:49 put you through a memory test of the actual 11:53:51 document. 11:53:53 A. Okay. 11:53:53 Q. I would just ask you separately 11:53:55 an important resource for the company to 11:53:57 utilize in trying to detect diversion. 11:54:00 A. Yes. In general, yes. 11:54:03 Q. Okay. And a moment ago when 11:54:04	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	THE WITNESS: Yes. 11:55:03  QUESTIONS BY MR. KO: 11:55:08  Q. Okay. And did you during 11:55:08  your time at Mallinckrodt, did you ever 11:55:13  receive or were you aware of any adverse 11:55:15  event reports related to the abuse of 11:55:18  prescription opioids manufactured by 11:55:20  Mallinckrodt? 11:55:23  A. Yes. 11:55:24  Q. Okay. And notwithstanding the 11:55:27  fact that some of these adverse event reports 11:55:29  included instances of diversion and abuse, 11:55:31  you don't believe that it was necessary to 11:55:35  include these or consider these reports in 11:55:37  connection with Mallinckrodt's duties to 11:55:40  implement and design a suspicious order 11:55:42  monitoring program? 11:55:44  MR. O'CONNOR: Objection to 11:55:46  THE WITNESS: So this was one 11:55:49  among many, and eventually we realized 11:55:51  that we had the chargeback tool which 11:55:55

	Page 178		Page 180
1	IntegriChain was talking about the 11:56:05	1	answer to the extent answering his 11:57:52
2	universe of products not specific to 11:56:07	2	question would reveal any 11:57:54
3	Mallinckrodt. 11:56:08	3	conversations you had with company 11:57:56
4	QUESTIONS BY MR. KO: 11:56:08	4	counsel. 11:57:57
5	Q. Sure. And I understand 11:56:09	5	THE WITNESS: Okay. I can 11:57:58
6	maybe it'll help to put the document aside. 11:56:10	6	answer because it did not relate to 11:58:01
7	A. Okay. 11:56:13	7	conversation with company counsel. 11:58:04
8	Q. I really don't have any more 11:56:13	8	QUESTIONS BY MR. KO: 11:58:05
9	questions on it. I was just asking with 11:56:14	9	Q. Okay. 11:58:05
10	respect to your statement about 11:56:16	10	A. The adverse event that was 11:58:05
11	pharmacovigilance and adverse 11:56:18	11	reported was a result of someone the 11:58:08
12	A. Uh-huh. 11:56:18	12	allegation was stealing fentanyl patches from 11:58:12
13	Q event reports in particular. 11:56:19	13	a glove compartment of a car that was hot. 11:58:16
14	You had suggested that it was 11:56:19	14	Fentanyl, the active ingredient is activated 11:58:19
15	not necessary to review adverse event reports 11:56:24	15	by heat. And so the person who suffered the 11:58:21
16	in connection with Mallinckrodt's duties to 11:56:27	16	adverse event had stolen the fentanyl, 11:58:24
17	design and implement an SOM program. 11:56:33	17	allegedly, taken it and, yes, overdosed. And 11:58:27
18	Is that what you testified to? 11:56:35	18	I don't know if they expired or not. I know 11:58:32
19	MR. O'CONNOR: Objection to 11:56:37	19	there was a medical emergency. 11:58:35
20	form. 11:56:37	20	Q. Isn't that an example of 11:58:37
21	THE WITNESS: Yes. 11:56:37	21	diversion leading to an opioid overdose? 11:58:39
22	QUESTIONS BY MR. KO: 11:56:38	22	A. Yes, it's diversion at the 11:58:41
23	Q. Okay. And my question is, why 11:56:38	23	patient level, yes. 11:58:47
24	would you not consider such adverse event 11:56:39	24	Q. Okay. And diversion at the 11:58:47
25	reports relating to the abuse and diversion 11:56:42	25	patient level is something that would be 11:58:49
	7		
	Page 179		Page 181
		_	_
1	of Mallinckrodt prescription opioids that 11:56:44	1	important for you to understand that is 11:58:52
2	were contained in such adverse event reports 11:56:47	2	important for you to understand that is 11:58:52 occurring in connection with your duties as 11:58:53
2 3	were contained in such adverse event reports 11:56:47 as you testified? 11:56:49	2 3	important for you to understand that is 11:58:52 occurring in connection with your duties as 11:58:53 someone responsible for designing and 11:58:57
2 3 4	were contained in such adverse event reports 11:56:47 as you testified? 11:56:49  A. Okay. Please, I'd like to take 11:56:50	2 3 4	important for you to understand that is 11:58:52 occurring in connection with your duties as 11:58:53 someone responsible for designing and 11:58:57 implementing a system to detect suspicious 11:59:00
2 3 4 5	were contained in such adverse event reports as you testified? 11:56:49  A. Okay. Please, I'd like to take 11:56:50 a break and confer with my attorneys on this 11:56:54	2 3 4 5	important for you to understand that is 11:58:52 occurring in connection with your duties as 11:58:53 someone responsible for designing and 11:58:57 implementing a system to detect suspicious 11:59:00 orders, is it not? 11:59:03
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	Page 182		Page 184
1	QUESTIONS BY MR. KO: 11:59:43	1	,
2	Q. And in particular, it would be 11:59:43	2	A. It's Exhibit 2. 12:14:00
3	important to know if there were thousands 11:59:45	3	Q. Oh, Exhibit 2. Okay. You can 12:14:01
4	of overdoses that resulted from diversion of 11:59:46	4	set that aside. 12:14:02
5	Mallinckrodt drugs, that would be important 11:59:50	5	I'm going to hand you a copy of 12:14:03
6	to know in connection with your duties as 11:59:52	6	what's previously been marked as Exhibit 21 12:14:04
7	a someone responsible for implementing an 11:59:55	7	of the Stewart deposition. 12:14:06
8	SOM program, correct? 11:59:58	8	MR. KO: And for the record, 12:14:18
9	MR. O'CONNOR: Objection to 11:59:59	9	this is ends in Bates 274111, and 12:14:20
10	form. 11:59:59	10	it is an e-mail from Cathy Stewart to 12:14:26
11	THE WITNESS: So will you 11:59:59	11	several people, and you are among the 12:14:29
12	please repeat the question? I'm 12:00:03	12	recipients. 12:14:32
13	sorry. 12:00:04	13	QUESTIONS BY MR. KO: 12:14:32
14	QUESTIONS BY MR. KO: 12:00:04	14	Q. Do you see that? 12:14:32
15	Q. Sure. 12:00:04	15	A. I do. 12:14:32
16	If there were thousands of 12:00:04	16	Q. And it's dated May 14, 2008, 12:14:33
17	overdoses that resulted from the diversion of 12:00:06	17	correct? 12:14:35
18	Mallinckrodt drugs, that would be important 12:00:08	18	A. Yes. 12:14:35
19	to know in connection with your duties as 12:00:11	19	Q. And by the way, who is or 12:14:36
20	someone responsible for implementing an SOM 12:00:13	20	you know Cathy Stewart, right? 12:14:37
21	program, correct? 12:00:15	21	A. Yes. 12:14:39
22	MR. O'CONNOR: Objection. 12:00:16	22	Q. You worked with her in 12:14:40
23	THE WITNESS: Yes. So the 12:00:17	23	connection with SOM procedure 12:14:42
24	question is hypothetical yes, 12:00:20	24	A. Yes. 12:14:44
25	thousands, yes, that would have been a 12:00:21	25	Q and activities? 12:14:44
	•		
	Page 183		Page 185
1	concern. 12:00:23	1	A. (Witness nods head.) 12:14:46
2	QUESTIONS BY MR. KO: 12:00:23	2	Q. Okay. And do you respect her 12:14:46
3	Q. And overdose deaths that result 12:00:28	3	opinions? 12:14:48
4	from someone taking a pill from a patient is 12:00:32	4	A. Yes. 12:14:48
5	a sign of diversion, is it not? 12:00:35	5	Q. Okay. And did you work with 12:14:49
6	MR. O'CONNOR: Objection. 12:00:38	6	her closely throughout the 2008 and 2012 time 12:14:51
7	Form. 12:00:40	7	period? 12:14:54
8	THE WITNESS: It's a form of 12:00:40	8	A. I can't she wasn't in that 12:14:54
9	diversion. It's misuse of a 12:00:42	9	role for an extremely long time, so I don't 12:14:56
10	prescription drug, yes. 12:00:43	10	know when she left, I'm sorry. 12:14:58
11	MR. O'CONNOR: Counsel, we've 12:00:46	11	Q. Did you work with her closely 12:15:00
12	been going almost an hour and a half. 12:00:47	12	in connection with SOM-related activities at 12:15:01
13	Should we take another break? 12:00:48	13	Mallinckrodt in the 2007, 2008 time period? 12:15:04
14	MR. KO: Yeah, I was just going 12:00:50	14	A. I don't know when she started. 12:15:07
15	to say it's time for a break. 12:00:52	15	Clearly it was in May of 2008, but I don't 12:15:12
16	VIDEOGRAPHER: We are going off 12:00:54	16	know the start or the end date of when she 12:15:15
17	the record at 12 p.m. 12:00:55	17	became part of the initiative. 12:15:18
18	(Off the record at 12:00 p.m.) 12:00:58	18	Q. And you attended a you 12:15:21
19	VIDEOGRAPHER: We are back on 12:13:39	19	attended a conference with her 12:15:27
20	the record at 12:13 p.m. 12:13:43	20	A. Yes. 12:15:28
21	QUESTIONS BY MR. KO: 12:13:45	21	Q in 2008, correct? 12:15:29
22	Q. Welcome back from the break, 12:13:47	22	A. Yes. 12:15:30
23	Ms. Harper. 12:13:49	23	Q. And this was, I believe, in 12:15:30
24	A. Thank you. 12:13:50	24	October of 2008, and it was the Buzzeo 12:15:32
1			
25	Q. Going back to the do you 12:13:50	25	conference? 12:15:36

	Page 186		Page 188
1	A. Yes. 12:15:36	1	A. Yes. 12:17:23
2	Q. And I know that postdates the 12:15:36	2	Q. So Ms. Stewart is at this time, 12:17:24
3	date of this letter, but do you recall anyone 12:15:38		as of May 14, 2008, working with you and 12:17:27
4	else attending that conference other than you 12:15:42		Mr. Ratliff to specifically ensure that 12:17:32
5	and Cathy from Mallinckrodt? 12:15:45		Mallinckrodt maintains compliance with DEA 12:17:40
6	A. I do not. 12:15:47		requirements related to identification of 12:17:42
7	Q. Okay. So as far as you recall, 12:15:48		suspicious orders, correct? 12:17:44
8	you were the only you and Cathy were the 12:15:55	8	A. I don't see the word 12:17:45
9	only two that attended the Buzzeo conference 12:15:57		"specifically," but, yes, she was assisting 12:17:49
10	in 2008? 12:16:00		with enhancing the program. 12:17:52
11	A. Yes. 12:16:01	11	Q. Okay. And then she also 12:17:55
12	Q. And what was her position 12:16:01		mentioned mentions that "in light of the 12:17:57
13	during the 2008 time period? 12:16:03		recent developments with McKesson, a good 12:17:59
14	A. Manager of dosage customer 12:16:04 service. 12:16:09		deal of focus is being placed on this 12:18:02
15		_	project." 12:18:03
16	Q. Okay. So she was a customer 12:16:09	16 17	Do you see that? 12:18:04  A. I do. 12:18:04
17	service rep or sorry, excuse me. She was 12:16:11 involved in the customer service group, 12:16:14	18	
19	correct? 12:16:16		Q. And is she referring to a DEA 12:18:05 investigation that ultimately resulted in a 12:18:08
20	A. Correct. The reps reported to 12:16:16		DEA action against McKesson in the early 2008 12:18:12
21	her. 12:16:17		time period? 12:18:16
22	Q. Right. 12:16:18	22	A. Yes. 12:18:16
23	And so she, at least of this 12:16:18	23	Q. Okay. And McKesson, as we 12:18:17
24	time, was having some involvement in the 12:16:23		mentioned before, is a is one of the or 12:18:21
25	revising of Mallinckrodt's SOM program; is 12:16:25		one of the major distributors that faced DEA 12:18:23
			•
	Page 187		Page 189
1	that fair to say? 12:16:29		scrutiny regarding their distribution of 12:18:25
2	A. Yes. 12:16:29	2 p	prescription opioids, correct? 12:18:28
2 3	A. Yes. 12:16:29 Q. Okay. And also it appears that 12:16:30	2 p	prescription opioids, correct? 12:18:28 A. Yes. 12:18:29
2 3 4	A. Yes. 12:16:29 Q. Okay. And also it appears that 12:16:30 at this time the customer service group is 12:16:33	2 p 3	prescription opioids, correct? 12:18:28  A. Yes. 12:18:29  Q. Okay. Now, she goes on to 12:18:32
2 3 4 5	A. Yes. 12:16:29 Q. Okay. And also it appears that 12:16:30 at this time the customer service group is 12:16:33 having some involvement in the implementation 12:16:35	2 p 3 4 5 c	prescription opioids, correct? 12:18:28  A. Yes. 12:18:29  Q. Okay. Now, she goes on to 12:18:32  describe generally when an order is deemed 12:18:34
2 3 4 5 6	A. Yes. 12:16:29 Q. Okay. And also it appears that 12:16:30 at this time the customer service group is 12:16:33 having some involvement in the implementation 12:16:35 of the revised SOM program. 12:16:38	2 p 3 4 5 d 6 p	prescription opioids, correct? 12:18:28  A. Yes. 12:18:29  Q. Okay. Now, she goes on to 12:18:32 describe generally when an order is deemed 12:18:34 peculiar by a customer service rep. 12:18:41
2 3 4 5 6 7	A. Yes. 12:16:29 Q. Okay. And also it appears that 12:16:30 at this time the customer service group is 12:16:33 having some involvement in the implementation 12:16:35 of the revised SOM program. 12:16:38 Separate and apart from what 12:16:39	2 p 3 4 5 d 6 p	prescription opioids, correct? 12:18:28  A. Yes. 12:18:29  Q. Okay. Now, she goes on to 12:18:32 describe generally when an order is deemed 12:18:34 peculiar by a customer service rep. 12:18:41  Do you see that? 12:18:42
2 3 4 5 6 7 8	A. Yes. 12:16:29 Q. Okay. And also it appears that 12:16:30 at this time the customer service group is 12:16:33 having some involvement in the implementation 12:16:35 of the revised SOM program. 12:16:38 Separate and apart from what 12:16:39 the e-mail says, is it your recollection that 12:16:41	2 p 3 4 5 d 6 p 7 8	prescription opioids, correct? 12:18:28  A. Yes. 12:18:29  Q. Okay. Now, she goes on to 12:18:32 describe generally when an order is deemed 12:18:34 peculiar by a customer service rep. 12:18:41  Do you see that? 12:18:42  A. Uh-huh. Yes. 12:18:42
2 3 4 5 6 7 8	A. Yes. 12:16:29 Q. Okay. And also it appears that 12:16:30 at this time the customer service group is 12:16:33 having some involvement in the implementation 12:16:35 of the revised SOM program. 12:16:38 Separate and apart from what 12:16:39 the e-mail says, is it your recollection that 12:16:41 the customer service group had some 12:16:44	2 p 3 4 5 6 p 7 8	prescription opioids, correct? 12:18:28  A. Yes. 12:18:29  Q. Okay. Now, she goes on to 12:18:32 describe generally when an order is deemed 12:18:34 peculiar by a customer service rep. 12:18:41  Do you see that? 12:18:42  A. Uh-huh. Yes. 12:18:42  Q. And she says that "an order is 12:18:44
2 3 4 5 6 7 8 9	A. Yes. 12:16:29 Q. Okay. And also it appears that 12:16:30 at this time the customer service group is 12:16:33 having some involvement in the implementation 12:16:35 of the revised SOM program. 12:16:38 Separate and apart from what 12:16:39 the e-mail says, is it your recollection that 12:16:41 the customer service group had some 12:16:44 involvement in the revising of Mallinckrodt's 12:16:45	2 r 3 4 5 6 7 7 8 9	prescription opioids, correct? 12:18:28  A. Yes. 12:18:29  Q. Okay. Now, she goes on to 12:18:32 describe generally when an order is deemed 12:18:34 peculiar by a customer service rep. 12:18:41  Do you see that? 12:18:42  A. Uh-huh. Yes. 12:18:42  Q. And she says that "an order is 12:18:44 deemed peculiar by a customer service rep 12:18:50
2 3 4 5 6 7 8 9 10	A. Yes. 12:16:29 Q. Okay. And also it appears that 12:16:30 at this time the customer service group is 12:16:33 having some involvement in the implementation 12:16:35 of the revised SOM program. 12:16:38 Separate and apart from what 12:16:39 the e-mail says, is it your recollection that 12:16:41 the customer service group had some 12:16:44 involvement in the revising of Mallinckrodt's 12:16:45 SOM program in 2008? 12:16:47	2 F 3 4 5 6 6 F 7 8 9 10 6 11 b	prescription opioids, correct? 12:18:28  A. Yes. 12:18:29  Q. Okay. Now, she goes on to 12:18:32 describe generally when an order is deemed 12:18:34 peculiar by a customer service rep. 12:18:41  Do you see that? 12:18:42  A. Uh-huh. Yes. 12:18:42  Q. And she says that "an order is 12:18:44 deemed peculiar by a customer service rep 12:18:50 based on a set of guidelines currently being 12:18:52
2 3 4 5 6 7 8 9 10 11	A. Yes. 12:16:29 Q. Okay. And also it appears that 12:16:30 at this time the customer service group is 12:16:33 having some involvement in the implementation 12:16:35 of the revised SOM program. 12:16:38 Separate and apart from what 12:16:39 the e-mail says, is it your recollection that 12:16:41 the customer service group had some 12:16:44 involvement in the revising of Mallinckrodt's 12:16:45 SOM program in 2008? 12:16:47 MR. O'CONNOR: Objection to 12:16:49	2 F 3 4 5 6 F 7 8 9 10 6 11 t 12 6	prescription opioids, correct? 12:18:28  A. Yes. 12:18:29  Q. Okay. Now, she goes on to 12:18:32 describe generally when an order is deemed 12:18:34 peculiar by a customer service rep. 12:18:41  Do you see that? 12:18:42  A. Uh-huh. Yes. 12:18:42  Q. And she says that "an order is 12:18:44 deemed peculiar by a customer service rep 12:18:50 based on a set of guidelines currently being 12:18:52 developed." 12:18:56
2 3 4 5 6 7 8 9 10 11 12 13	A. Yes. 12:16:29 Q. Okay. And also it appears that 12:16:30 at this time the customer service group is 12:16:33 having some involvement in the implementation 12:16:35 of the revised SOM program. 12:16:38 Separate and apart from what 12:16:39 the e-mail says, is it your recollection that 12:16:41 the customer service group had some 12:16:44 involvement in the revising of Mallinckrodt's 12:16:45 SOM program in 2008? 12:16:47 MR. O'CONNOR: Objection to 12:16:49 form. 12:16:50	2 F 3 4 5 6 F 7 8 9 10 6 11 15 12 6 13	A. Yes. 12:18:28  A. Yes. 12:18:29  Q. Okay. Now, she goes on to 12:18:32 describe generally when an order is deemed 12:18:34 peculiar by a customer service rep. 12:18:41  Do you see that? 12:18:42  A. Uh-huh. Yes. 12:18:42  Q. And she says that "an order is 12:18:44 deemed peculiar by a customer service rep 12:18:50 based on a set of guidelines currently being 12:18:52 developed." 12:18:56  Do you see that reference? 12:18:56
2 3 4 5 6 7 8 9 10 11 12 13	A. Yes. 12:16:29 Q. Okay. And also it appears that 12:16:30 at this time the customer service group is 12:16:33 having some involvement in the implementation 12:16:35 of the revised SOM program. 12:16:38 Separate and apart from what 12:16:39 the e-mail says, is it your recollection that 12:16:41 the customer service group had some 12:16:44 involvement in the revising of Mallinckrodt's 12:16:45 SOM program in 2008? 12:16:47 MR. O'CONNOR: Objection to 12:16:49 form. 12:16:50 THE WITNESS: Yes. 12:16:50	2 F 3 4 5 6 F 7 8 9 10 6 11 E 12 6 13 14	A. Yes. 12:18:28  Q. Okay. Now, she goes on to 12:18:32 describe generally when an order is deemed 12:18:34 peculiar by a customer service rep. 12:18:41 Do you see that? 12:18:42 A. Uh-huh. Yes. 12:18:42 Q. And she says that "an order is 12:18:44 deemed peculiar by a customer service rep 12:18:50 based on a set of guidelines currently being 12:18:52 developed." 12:18:56  Do you see that reference? 12:18:56 First sentence of the second 12:19:05
2 3 4 5 6 7 8 9 10 11 12 13 14 15	A. Yes. 12:16:29 Q. Okay. And also it appears that 12:16:30 at this time the customer service group is 12:16:33 having some involvement in the implementation 12:16:35 of the revised SOM program. 12:16:38 Separate and apart from what 12:16:39 the e-mail says, is it your recollection that 12:16:41 the customer service group had some 12:16:44 involvement in the revising of Mallinckrodt's 12:16:45 SOM program in 2008? 12:16:47 MR. O'CONNOR: Objection to 12:16:49 form. 12:16:50 THE WITNESS: Yes. 12:16:50 QUESTIONS BY MR. KO: 12:16:50	2 F 3 4 5 6 6 F 7 8 9 10 6 11 11 11 11 11 11 11 11 11 11 11 11 1	A. Yes. 12:18:28  Q. Okay. Now, she goes on to 12:18:32 describe generally when an order is deemed 12:18:34 peculiar by a customer service rep. 12:18:41 Do you see that? 12:18:42 A. Uh-huh. Yes. 12:18:42 Q. And she says that "an order is 12:18:44 deemed peculiar by a customer service rep 12:18:50 based on a set of guidelines currently being 12:18:52 developed." 12:18:56 First sentence of the second 12:19:05 paragraph. 12:19:07
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. Yes. 12:16:29 Q. Okay. And also it appears that 12:16:30 at this time the customer service group is 12:16:33 having some involvement in the implementation 12:16:35 of the revised SOM program. 12:16:38 Separate and apart from what 12:16:39 the e-mail says, is it your recollection that 12:16:41 the customer service group had some 12:16:44 involvement in the revising of Mallinckrodt's 12:16:45 SOM program in 2008? 12:16:47 MR. O'CONNOR: Objection to 12:16:49 form. 12:16:50 THE WITNESS: Yes. 12:16:50 QUESTIONS BY MR. KO: 12:16:50 Q. Okay. Ms. Stewart says that 12:16:51	2 F 3 4 5 6 F 7 8 9 10 6 11 b 12 6 13 14 15 F 16	A. Yes. 12:18:28  A. Yes. 12:18:29  Q. Okay. Now, she goes on to 12:18:32 describe generally when an order is deemed 12:18:34 peculiar by a customer service rep. 12:18:41 Do you see that? 12:18:42  A. Uh-huh. Yes. 12:18:42  Q. And she says that "an order is 12:18:44 deemed peculiar by a customer service rep 12:18:50 based on a set of guidelines currently being 12:18:52 developed." 12:18:56 First sentence of the second 12:19:05 paragraph. 12:19:07  A. Yes, yes, yes, I see it. Yes, 12:19:07
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. Yes. 12:16:29 Q. Okay. And also it appears that 12:16:30 at this time the customer service group is 12:16:33 having some involvement in the implementation 12:16:35 of the revised SOM program. 12:16:38 Separate and apart from what 12:16:39 the e-mail says, is it your recollection that 12:16:41 the customer service group had some 12:16:44 involvement in the revising of Mallinckrodt's 12:16:45 SOM program in 2008? 12:16:47 MR. O'CONNOR: Objection to 12:16:49 form. 12:16:50 THE WITNESS: Yes. 12:16:50 QUESTIONS BY MR. KO: 12:16:50 Q. Okay. Ms. Stewart says that 12:16:51 in particular that she is advising everyone 12:17:00	2 F 3 4 5 6 F 7 8 9 10 6 11 b 12 6 13 14 15 F 16 17 t	A. Yes. 12:18:28  A. Yes. 12:18:29  Q. Okay. Now, she goes on to 12:18:32 describe generally when an order is deemed 12:18:34 peculiar by a customer service rep. 12:18:41 Do you see that? 12:18:42  A. Uh-huh. Yes. 12:18:42 Q. And she says that "an order is 12:18:44 deemed peculiar by a customer service rep 12:18:50 based on a set of guidelines currently being 12:18:52 developed." 12:18:56 First sentence of the second 12:19:05 paragraph. 12:19:07 A. Yes, yes, yes, I see it. Yes, 12:19:07 thank you. 12:19:08
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. Yes. 12:16:29 Q. Okay. And also it appears that 12:16:30 at this time the customer service group is 12:16:33 having some involvement in the implementation 12:16:35 of the revised SOM program. 12:16:38 Separate and apart from what 12:16:39 the e-mail says, is it your recollection that 12:16:41 the customer service group had some 12:16:44 involvement in the revising of Mallinckrodt's 12:16:45 SOM program in 2008? 12:16:47 MR. O'CONNOR: Objection to 12:16:49 form. 12:16:50 THE WITNESS: Yes. 12:16:50 Q. Okay. Ms. Stewart says that 12:16:51 in particular that she is advising everyone 12:17:00 on this e-mail that she is working with you 12:17:03	2 F 3 4 5 6 F 7 8 9 10 6 11 12 6 13 14 15 F 16 17 tt	A. Yes. 12:18:28  A. Yes. 12:18:29  Q. Okay. Now, she goes on to 12:18:32 describe generally when an order is deemed 12:18:34 peculiar by a customer service rep. 12:18:41  Do you see that? 12:18:42  A. Uh-huh. Yes. 12:18:42  Q. And she says that "an order is 12:18:44 deemed peculiar by a customer service rep 12:18:50 based on a set of guidelines currently being 12:18:52 developed." 12:18:56  First sentence of the second 12:19:05 paragraph. 12:19:07  A. Yes, yes, yes, I see it. Yes, 12:19:07 thank you. 12:19:08  Q. So fair to say as of May 14, 12:19:08
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. Yes. 12:16:29 Q. Okay. And also it appears that 12:16:30 at this time the customer service group is 12:16:33 having some involvement in the implementation 12:16:35 of the revised SOM program. 12:16:38 Separate and apart from what 12:16:39 the e-mail says, is it your recollection that 12:16:41 the customer service group had some 12:16:44 involvement in the revising of Mallinckrodt's 12:16:45 SOM program in 2008? 12:16:47 MR. O'CONNOR: Objection to 12:16:49 form. 12:16:50 THE WITNESS: Yes. 12:16:50 Q. Okay. Ms. Stewart says that 12:16:51 in particular that she is advising everyone 12:17:00 on this e-mail that she is working with you 12:17:03 and Mr. Harper to develop procedures to 12:17:06	2 F 3 4 5 6 F 7 8 9 10 6 11 b 12 6 13 14 15 F 16 17 t 18 19 2	A. Yes. 12:18:28  A. Yes. 12:18:29  Q. Okay. Now, she goes on to 12:18:32 describe generally when an order is deemed 12:18:34 peculiar by a customer service rep. 12:18:41 Do you see that? 12:18:42  A. Uh-huh. Yes. 12:18:42  Q. And she says that "an order is 12:18:44 deemed peculiar by a customer service rep 12:18:50 based on a set of guidelines currently being 12:18:52 developed." 12:18:56 First sentence of the second 12:19:05 paragraph. 12:19:07  A. Yes, yes, yes, I see it. Yes, 12:19:07 thank you. 12:19:08 Q. So fair to say as of May 14, 12:19:08 2008, Mallinckrodt is developing certain 12:19:13
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. Yes. 12:16:29 Q. Okay. And also it appears that 12:16:30 at this time the customer service group is 12:16:33 having some involvement in the implementation 12:16:35 of the revised SOM program. 12:16:38 Separate and apart from what 12:16:39 the e-mail says, is it your recollection that 12:16:41 the customer service group had some 12:16:44 involvement in the revising of Mallinckrodt's 12:16:45 SOM program in 2008? 12:16:47 MR. O'CONNOR: Objection to 12:16:49 form. 12:16:50 THE WITNESS: Yes. 12:16:50 QUESTIONS BY MR. KO: 12:16:51 in particular that she is advising everyone 12:17:00 on this e-mail that she is working with you 12:17:03 and Mr. Harper to develop procedures to 12:17:11	2 F 3 4 5 6 6 F 7 8 9 10 6 11 11 12 6 13 14 15 F 16 17 tt 18 19 22 20 g	A. Yes. 12:18:28  A. Yes. 12:18:29  Q. Okay. Now, she goes on to 12:18:32 describe generally when an order is deemed 12:18:34 peculiar by a customer service rep. 12:18:41 Do you see that? 12:18:42  A. Uh-huh. Yes. 12:18:42  Q. And she says that "an order is 12:18:44 deemed peculiar by a customer service rep 12:18:50 based on a set of guidelines currently being 12:18:52 developed." 12:18:56 First sentence of the second 12:19:05 paragraph. 12:19:07  A. Yes, yes, yes, I see it. Yes, 12:19:07 thank you. 12:19:08 Q. So fair to say as of May 14, 12:19:08 2008, Mallinckrodt is developing certain 12:19:13 guidelines to determine whether or not an 12:19:15
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. Yes. 12:16:29 Q. Okay. And also it appears that 12:16:30 at this time the customer service group is 12:16:33 having some involvement in the implementation 12:16:35 of the revised SOM program. 12:16:38 Separate and apart from what 12:16:39 the e-mail says, is it your recollection that 12:16:41 the customer service group had some 12:16:44 involvement in the revising of Mallinckrodt's 12:16:45 SOM program in 2008? 12:16:47 MR. O'CONNOR: Objection to 12:16:49 form. 12:16:50 THE WITNESS: Yes. 12:16:50 Q. Okay. Ms. Stewart says that 12:16:51 in particular that she is advising everyone 12:17:00 on this e-mail that she is working with you 12:17:03 and Mr. Harper to develop procedures to 12:17:11 with DEA requirements to identify suspicious 12:17:15	2 F 3 4 5 6 6 F 7 8 9 10 6 11 11 12 6 13 14 15 F 16 17 tt 18 19 22 20 g	A. Yes. 12:18:28  A. Yes. 12:18:29  Q. Okay. Now, she goes on to 12:18:32 describe generally when an order is deemed 12:18:34 peculiar by a customer service rep. 12:18:41  Do you see that? 12:18:42  A. Uh-huh. Yes. 12:18:42  Q. And she says that "an order is 12:18:44 deemed peculiar by a customer service rep 12:18:50 based on a set of guidelines currently being 12:18:52 developed." 12:18:56  First sentence of the second 12:19:05 paragraph. 12:19:07  A. Yes, yes, yes, I see it. Yes, 12:19:07 thank you. 12:19:08  Q. So fair to say as of May 14, 12:19:08 2008, Mallinckrodt is developing certain 12:19:13 guidelines to determine whether or not an 12:19:15 order is peculiar? 12:19:17
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Yes. 12:16:29 Q. Okay. And also it appears that 12:16:30 at this time the customer service group is 12:16:33 having some involvement in the implementation 12:16:35 of the revised SOM program. 12:16:38 Separate and apart from what 12:16:39 the e-mail says, is it your recollection that 12:16:41 the customer service group had some 12:16:44 involvement in the revising of Mallinckrodt's 12:16:45 SOM program in 2008? 12:16:47 MR. O'CONNOR: Objection to 12:16:49 form. 12:16:50 THE WITNESS: Yes. 12:16:50 QUESTIONS BY MR. KO: 12:16:51 in particular that she is advising everyone 12:17:00 on this e-mail that she is working with you 12:17:03 and Mr. Harper to develop procedures to 12:17:06 ensure that Mallinckrodt maintains compliance 12:17:11 with DEA requirements to identify suspicious 12:17:15 orders; is that correct? 12:17:18	2 F 3 4 5 6 F 7 8 9 10 6 11 12 6 13 14 15 F 16 17 tt 18 19 22 0 8 21 6	A. Yes. 12:18:28  A. Yes. 12:18:29  Q. Okay. Now, she goes on to 12:18:32 describe generally when an order is deemed 12:18:34 peculiar by a customer service rep. 12:18:41 Do you see that? 12:18:42  A. Uh-huh. Yes. 12:18:42  Q. And she says that "an order is 12:18:44 deemed peculiar by a customer service rep 12:18:50 based on a set of guidelines currently being 12:18:52 developed." 12:18:56 First sentence of the second 12:19:05 paragraph. 12:19:07  A. Yes, yes, yes, I see it. Yes, 12:19:07 thank you. 12:19:08 Q. So fair to say as of May 14, 12:19:08 2008, Mallinckrodt is developing certain 12:19:13 guidelines to determine whether or not an 12:19:15 order is peculiar? 12:19:20
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Yes. 12:16:29 Q. Okay. And also it appears that 12:16:30 at this time the customer service group is 12:16:33 having some involvement in the implementation 12:16:35 of the revised SOM program. 12:16:38 Separate and apart from what 12:16:39 the e-mail says, is it your recollection that 12:16:41 the customer service group had some 12:16:44 involvement in the revising of Mallinckrodt's 12:16:45 SOM program in 2008? 12:16:47 MR. O'CONNOR: Objection to 12:16:49 form. 12:16:50 THE WITNESS: Yes. 12:16:50 QUESTIONS BY MR. KO: 12:16:51 in particular that she is advising everyone 12:17:00 on this e-mail that she is working with you 12:17:03 and Mr. Harper to develop procedures to 12:17:11 with DEA requirements to identify suspicious 12:17:15 orders; is that correct? 12:17:18  A. So I'm Harper, and it talks 12:17:18	2 F 3 4 5 6 7 7 8 9 10 6 11 b 12 6 13 14 15 F 16 17 t 18 19 2 2 2 2 2 3	A. Yes. 12:18:28  A. Yes. 12:18:29  Q. Okay. Now, she goes on to 12:18:32 describe generally when an order is deemed 12:18:34 peculiar by a customer service rep. 12:18:41 Do you see that? 12:18:42  A. Uh-huh. Yes. 12:18:42  Q. And she says that "an order is 12:18:44 deemed peculiar by a customer service rep 12:18:50 based on a set of guidelines currently being 12:18:52 developed." 12:18:56 First sentence of the second 12:19:05 paragraph. 12:19:07  A. Yes, yes, yes, I see it. Yes, 12:19:07 thank you. 12:19:08 Q. So fair to say as of May 14, 12:19:08 2008, Mallinckrodt is developing certain 12:19:13 guidelines to determine whether or not an 12:19:15 order is peculiar? 12:19:20 Q. Okay. Is it is that is 12:19:21
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Yes. 12:16:29 Q. Okay. And also it appears that 12:16:30 at this time the customer service group is 12:16:33 having some involvement in the implementation 12:16:35 of the revised SOM program. 12:16:38 Separate and apart from what 12:16:39 the e-mail says, is it your recollection that 12:16:41 the customer service group had some 12:16:44 involvement in the revising of Mallinckrodt's 12:16:45 SOM program in 2008? 12:16:47 MR. O'CONNOR: Objection to 12:16:49 form. 12:16:50 THE WITNESS: Yes. 12:16:50 QUESTIONS BY MR. KO: 12:16:51 in particular that she is advising everyone 12:17:00 on this e-mail that she is working with you 12:17:03 and Mr. Harper to develop procedures to 12:17:06 ensure that Mallinckrodt maintains compliance 12:17:11 with DEA requirements to identify suspicious 12:17:15 orders; is that correct? 12:17:18	2 F 3 4 5 6 6 F 7 8 9 10 6 11 b 12 6 13 14 15 F 16 17 tf 18 19 2 2 2 2 2 3 2 4 3	A. Yes. 12:18:28  A. Yes. 12:18:29  Q. Okay. Now, she goes on to 12:18:32 describe generally when an order is deemed 12:18:34 peculiar by a customer service rep. 12:18:41 Do you see that? 12:18:42  A. Uh-huh. Yes. 12:18:42  Q. And she says that "an order is 12:18:44 deemed peculiar by a customer service rep 12:18:50 based on a set of guidelines currently being 12:18:52 developed." 12:18:56 First sentence of the second 12:19:05 paragraph. 12:19:07  A. Yes, yes, yes, I see it. Yes, 12:19:07 thank you. 12:19:08 Q. So fair to say as of May 14, 12:19:08 2008, Mallinckrodt is developing certain 12:19:13 guidelines to determine whether or not an 12:19:15 order is peculiar? 12:19:20

	Page 190		Page 192
1	or not an order was peculiar? 12:19:28	1	3 · 3 · · · · · · · · · · · · · · · · ·
2	A. That's correct. 12:19:29	2	customer service rep's attention as them 12:21:35
3	Q. Okay. So is it fair to say 12:19:30	3	being familiar with the account. 12:21:39
4	that as of May 14, 2008, you are revising the 12:19:31	4	Q. Okay. Because as you testified 12:21:41
5	set of guidelines to determine whether or not 12:19:37	5	previously, they were your eyes and ears to 12:21:43
6	it's peculiar? 12:19:39	6	the customer, correct? 12:21:47
7	A. Yes. 12:19:40	7	A. That was the NAMs. But, yes, 12:21:48
8	Q. Okay. And what is the 12:19:41	8	the customer service reps were veterans with 12:21:49
9	difference from your perspective between a 12:19:47	9	the accounts, and, yes, they knew the 12:21:51
10	peculiar order and a suspicious order? 12:19:49	10	customers. 12:21:56
11	A. We at different times with 12:19:51	11	Q. So would you agree because I 12:21:56
12	the enhancements of our program, we called 12:19:58	12	realize that you are trying to make a 12:22:04
13	orders "peculiar," we called orders 12:20:01	13	distinction between the NAMs and the CSRs. 12:22:08
14	"unusual," and we called orders "suspicious." 12:20:03	14	But would it be fair to say 12:22:11
15	So at this time, the peculiar order was 12:20:06	15	that the CSRs had deep knowledge about the 12:22:12
16	something that came to our attention and 12:20:10	16	customers? 12:22:16
17	warranted additional review but was not 12:20:14	17	MR. O'CONNOR: Objection to 12:22:16
18	necessarily deemed to be suspicious. 12:20:17	18	form. 12:22:17
19	Q. Okay. So a peculiar order, if 12:20:19	19	QUESTIONS BY MR. KO: 12:22:17
20	I understand your testimony correctly, is not 12:20:21	20	Q. Of Mallinckrodt? 12:22:17
21	necessarily synonymous with a suspicious 12:20:23	21	A. I wouldn't use the term "deep 12:22:18
22	order; is that correct? 12:20:26	22	knowledge." They had knowledge of the 12:22:22
23	A. Correct. 12:20:26	23	customers from the customer service 12:22:24
24	Q. Okay. And if I understand both 12:20:28	24	perspective. 12:22:26
25	this e-mail and some other documents I've 12:20:32	25	Q. Okay. And when you said 12:22:27
	Page 191		Page 193
1	reviewed, my understanding is that once an 12:20:35	1	earlier that the NAMs were your eyes and 12:22:29
2	order is identified as peculiar, certain 12:20:38	2	ears, would you also say that the customer 12:22:34
3	people make the determination of whether or 12:20:42	3	service reps to some extent were the eyes and 12:22:36
4	not the order is ultimately suspicious 12:20:44	4	ears for the Mallinckrodt business as well? 12:22:38
5	sufficient to notify the DEA; is that 12:20:46	5	A. If you use the term making 12:22:40
6	accurate? 12:20:48	6	an inferential leap, because the customer 12:22:45
7	MR. O'CONNOR: Objection to 12:20:48	7	service reps didn't see the customers or 12:22:48
8	form. 12:20:49	8	they talked to the customers and took 12:22:50
	THE WITNESS: Yes. 12:20:49	9	10.00.50
9			customer orders. 12:22:52
10	QUESTIONS BY MR. KO: 12:20:50	10	Q. Okay. Let me make sure I 12:22:53
	QUESTIONS BY MR. KO: 12:20:50 Q. Okay. And so for purposes of 12:20:50	11	Q. Okay. Let me make sure I 12:22:53 understand it. 12:22:55
10 11 12	QUESTIONS BY MR. KO: 12:20:50 Q. Okay. And so for purposes of 12:20:50 this e-mail from Ms. Stewart to you, among 12:20:54	11 12	Q. Okay. Let me make sure I 12:22:53 understand it. 12:22:55  They didn't see the customers, 12:22:55
10 11 12 13	QUESTIONS BY MR. KO: 12:20:50 Q. Okay. And so for purposes of 12:20:50 this e-mail from Ms. Stewart to you, among 12:20:54 others, she is discussing a revision of what 12:20:58	11 12 13	Q. Okay. Let me make sure I 12:22:53 understand it. 12:22:55 They didn't see the customers, 12:22:55 but they talked to them? 12:22:57
10 11 12 13 14	QUESTIONS BY MR. KO: 12:20:50 Q. Okay. And so for purposes of 12:20:50 this e-mail from Ms. Stewart to you, among 12:20:54 others, she is discussing a revision of what 12:20:58 determines a peculiar order, correct? 12:21:03	11 12 13 14	Q. Okay. Let me make sure I 12:22:53 understand it. 12:22:55  They didn't see the customers, 12:22:55 but they talked to them? 12:22:57 A. Yes. 12:22:58
10 11 12 13 14 15	QUESTIONS BY MR. KO: 12:20:50 Q. Okay. And so for purposes of 12:20:50 this e-mail from Ms. Stewart to you, among 12:20:54 others, she is discussing a revision of what 12:20:58 determines a peculiar order, correct? 12:21:03 A. A peculiar order as recognized 12:21:05	11 12 13 14 15	Q. Okay. Let me make sure I 12:22:53 understand it. 12:22:55  They didn't see the customers, 12:22:55 but they talked to them? 12:22:57 A. Yes. 12:22:58 Q. Okay. So they didn't actually 12:22:58
10 11 12 13 14 15 16	QUESTIONS BY MR. KO: 12:20:50  Q. Okay. And so for purposes of 12:20:50  this e-mail from Ms. Stewart to you, among 12:20:54  others, she is discussing a revision of what 12:20:58  determines a peculiar order, correct? 12:21:03  A. A peculiar order as recognized 12:21:05  by customer service. 12:21:11	11 12 13 14 15 16	Q. Okay. Let me make sure I 12:22:53 understand it. 12:22:55 They didn't see the customers, 12:22:55 but they talked to them? 12:22:57 A. Yes. 12:22:58 Q. Okay. So they didn't actually 12:22:58 visit them like the NAMs did, but they would 12:23:00
10 11 12 13 14 15 16 17	QUESTIONS BY MR. KO: 12:20:50 Q. Okay. And so for purposes of 12:20:50 this e-mail from Ms. Stewart to you, among 12:20:54 others, she is discussing a revision of what 12:20:58 determines a peculiar order, correct? 12:21:03 A. A peculiar order as recognized 12:21:05 by customer service. 12:21:11 Q. Okay. 12:21:12	11 12 13 14 15 16 17	Q. Okay. Let me make sure I 12:22:53 understand it. 12:22:55  They didn't see the customers, 12:22:55 but they talked to them? 12:22:57 A. Yes. 12:22:58 Q. Okay. So they didn't actually 12:22:58 visit them like the NAMs did, but they would 12:23:00 speak to them via telephone only? 12:23:03
10 11 12 13 14 15 16 17	QUESTIONS BY MR. KO:       12:20:50         Q. Okay. And so for purposes of this e-mail from Ms. Stewart to you, among others, she is discussing a revision of what others, she is discussing a revision of what determines a peculiar order, correct?       12:20:58         A. A peculiar order as recognized by customer service.       12:21:05         By customer service.       12:21:11         Q. Okay.       12:21:12         A. Yes.       12:21:12	11 12 13 14 15 16 17 18	Q. Okay. Let me make sure I 12:22:53 understand it. 12:22:55 They didn't see the customers, 12:22:55 but they talked to them? 12:22:57 A. Yes. 12:22:58 Q. Okay. So they didn't actually 12:22:58 visit them like the NAMs did, but they would 12:23:00 speak to them via telephone only? 12:23:03 MR. O'CONNOR: Objection to 12:23:05
10 11 12 13 14 15 16 17 18	QUESTIONS BY MR. KO: 12:20:50  Q. Okay. And so for purposes of 12:20:50  this e-mail from Ms. Stewart to you, among 12:20:54  others, she is discussing a revision of what 12:20:58  determines a peculiar order, correct? 12:21:03  A. A peculiar order as recognized 12:21:05  by customer service. 12:21:11  Q. Okay. 12:21:12  A. Yes. 12:21:12  Q. And is it accurate to say that 12:21:13	11 12 13 14 15 16 17 18	Q. Okay. Let me make sure I 12:22:53 understand it. 12:22:55 They didn't see the customers, 12:22:55 but they talked to them? 12:22:57 A. Yes. 12:22:58 Q. Okay. So they didn't actually 12:22:58 visit them like the NAMs did, but they would 12:23:00 speak to them via telephone only? 12:23:03 MR. O'CONNOR: Objection to 12:23:05 form. 12:23:06
10 11 12 13 14 15 16 17 18 19	QUESTIONS BY MR. KO:  Q. Okay. And so for purposes of 12:20:50 this e-mail from Ms. Stewart to you, among 12:20:54 others, she is discussing a revision of what 12:20:58 determines a peculiar order, correct? 12:21:03 A. A peculiar order as recognized 12:21:05 by customer service. 12:21:11 Q. Okay. 12:21:12 A. Yes. 12:21:12 Q. And is it accurate to say that 12:21:13 a peculiar order whether or not an order 12:21:17	11 12 13 14 15 16 17 18 19 20	Q. Okay. Let me make sure I 12:22:53 understand it. 12:22:55  They didn't see the customers, 12:22:55 but they talked to them? 12:22:57  A. Yes. 12:22:58  Q. Okay. So they didn't actually 12:22:58 visit them like the NAMs did, but they would 12:23:00 speak to them via telephone only? 12:23:03  MR. O'CONNOR: Objection to 12:23:05 form. 12:23:06  THE WITNESS: Correct. 12:23:06
10 11 12 13 14 15 16 17 18 19 20 21	QUESTIONS BY MR. KO:       12:20:50         Q.       Okay. And so for purposes of this e-mail from Ms. Stewart to you, among others, she is discussing a revision of what others. Beculiar order, correct?       12:20:58         determines a peculiar order as recognized       12:21:03         A.       A peculiar order as recognized       12:21:05         by customer service.       12:21:12         Q.       Okay.       12:21:12         A.       Yes.       12:21:12         Q.       And is it accurate to say that a peculiar order whether or not an order or	11 12 13 14 15 16 17 18 19 20 21	Q. Okay. Let me make sure I 12:22:53 understand it. 12:22:55  They didn't see the customers, 12:22:55 but they talked to them? 12:22:57  A. Yes. 12:22:58  Q. Okay. So they didn't actually 12:22:58 visit them like the NAMs did, but they would 12:23:00 speak to them via telephone only? 12:23:03  MR. O'CONNOR: Objection to 12:23:05 form. 12:23:06  THE WITNESS: Correct. 12:23:06  QUESTIONS BY MR. KO: 12:23:06
10 11 12 13 14 15 16 17 18 19 20 21	QUESTIONS BY MR. KO: 12:20:50  Q. Okay. And so for purposes of 12:20:50  this e-mail from Ms. Stewart to you, among 12:20:54  others, she is discussing a revision of what 12:20:58  determines a peculiar order, correct? 12:21:03  A. A peculiar order as recognized 12:21:05  by customer service. 12:21:11  Q. Okay. 12:21:12  A. Yes. 12:21:12  Q. And is it accurate to say that 12:21:13  a peculiar order whether or not an order 12:21:17  was deemed peculiar was based on an 12:21:22  algorithm, as we discussed earlier; is that 12:21:25	11 12 13 14 15 16 17 18 19 20 21	Q. Okay. Let me make sure I 12:22:53 understand it. 12:22:55 They didn't see the customers, 12:22:55 but they talked to them? 12:22:57 A. Yes. 12:22:58 Q. Okay. So they didn't actually 12:22:58 visit them like the NAMs did, but they would 12:23:00 speak to them via telephone only? 12:23:03 MR. O'CONNOR: Objection to 12:23:05 form. 12:23:06 THE WITNESS: Correct. 12:23:06 QUESTIONS BY MR. KO: 12:23:06 Q. But the CSRs had, through these 12:23:06
10 11 12 13 14 15 16 17 18 19 20 21 22 23	QUESTIONS BY MR. KO:  Q. Okay. And so for purposes of this e-mail from Ms. Stewart to you, among others, she is discussing a revision of what others. a peculiar order, correct? 12:21:03  A. A peculiar order as recognized 12:21:05 by customer service. 12:21:11  Q. Okay. 12:21:12  A. Yes. 12:21:12  Q. And is it accurate to say that 12:21:13 a peculiar order whether or not an order 12:21:17 was deemed peculiar was based on an 12:21:22 algorithm, as we discussed earlier; is that 12:21:25 correct? 12:21:29	11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Okay. Let me make sure I 12:22:53 understand it. 12:22:55 They didn't see the customers, 12:22:55 but they talked to them? 12:22:57 A. Yes. 12:22:58 Q. Okay. So they didn't actually 12:22:58 visit them like the NAMs did, but they would 12:23:00 speak to them via telephone only? 12:23:03 MR. O'CONNOR: Objection to 12:23:05 form. 12:23:06 THE WITNESS: Correct. 12:23:06 QUESTIONS BY MR. KO: 12:23:06 Q. But the CSRs had, through these 12:23:06 conversations, presumably had knowledge about 12:23:10
10 11 12 13 14 15 16 17 18 19 20 21	QUESTIONS BY MR. KO: 12:20:50  Q. Okay. And so for purposes of 12:20:50  this e-mail from Ms. Stewart to you, among 12:20:54  others, she is discussing a revision of what 12:20:58  determines a peculiar order, correct? 12:21:03  A. A peculiar order as recognized 12:21:05  by customer service. 12:21:11  Q. Okay. 12:21:12  A. Yes. 12:21:12  Q. And is it accurate to say that 12:21:13  a peculiar order whether or not an order 12:21:17  was deemed peculiar was based on an 12:21:22  algorithm, as we discussed earlier; is that 12:21:25	11 12 13 14 15 16 17 18 19 20 21	Q. Okay. Let me make sure I 12:22:53 understand it. 12:22:55 They didn't see the customers, 12:22:55 but they talked to them? 12:22:57 A. Yes. 12:22:58 Q. Okay. So they didn't actually 12:22:58 visit them like the NAMs did, but they would 12:23:00 speak to them via telephone only? 12:23:03 MR. O'CONNOR: Objection to 12:23:05 form. 12:23:06 THE WITNESS: Correct. 12:23:06 QUESTIONS BY MR. KO: 12:23:06 Q. But the CSRs had, through these 12:23:06

	Page 194		Page 106
,	_	,	Page 196
1	6	1	A. Okay. All right. Okay. Thank 12:25:35
2	distinction between peculiar and suspicious, 12:23:21	2	you. 12:25:35
3	do you ever recall an instance in which an 12:23:23	3	Q and I'm trying to understand 12:25:35 the distinctions between them. 12:25:39
4	order was identified as suspicious but not 12:23:25	4	
5	peculiar? 12:23:30	5	A. Okay. Thank you. 12:25:40
6	A. I don't know that answer. 12:23:31		Q. So with respect to 12:25:42
	Q. Okay. Do you ever recall an 12:23:32	7	identification of a peculiar order, you had 12:25:43
8	instance in which an order was identified as 12:23:36	8	previously testified that if an order met a 12:25:44
9	unusual but not peculiar? 12:23:38	9	certain threshold by an algorithm determined 12:25:53
10	A. I can't say. I'm sorry. 12:23:39	10	by Mallinckrodt, it would be deemed peculiar. 12:25:55
11	Q. Okay. Is it accurate to 12:23:43	11	MR. O'CONNOR: Objection to 12:25:58
12	describe at least the well, strike that. 12:23:45	12	form. 12:25:59
13	Prior to the revision of the 12:23:50	13	QUESTIONS BY MR. KO: 12:25:59
14	SOM program in 2008 that's reflected in these 12:23:55	14	Q. Correct? 12:25:59
15	e-mails that we're going over, is it accurate 12:24:00	15	A. Correct. 12:25:59
16	to say that an order was first an 12:24:04	16	Q. And in addition to the 12:26:00
17	evaluation was made first about whether or 12:24:10	17	algorithm triggering a peculiar order, you 12:26:03
18	not an order was peculiar, separate and apart 12:24:11	18	had also testified that there were other 12:26:06
19	from an analysis of whether or not an order 12:24:14	19	circumstances that may indicate an order was 12:26:08
20	was suspicious? 12:24:15	20	peculiar as identified by a customer service 12:26:11
21	MR. O'CONNOR: Objection to 12:24:16	21	rep, correct? 12:26:14
22	form. 12:24:17	22	A. Correct. 12:26:14
23	THE WITNESS: It appeared, yes. 12:24:17	23	Q. Okay. And who other than the 12:26:15
24	That was a term that we used, yes. 12:24:21	24	CSRs had a responsibility or an obligation to 12:26:20
25		25	determine whether or not this order was 12:26:26
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	$\epsilon$	1	1 480 17 /
1	QUESTIONS BY MR. KO: 12:24:23	1	_
1 2	_	1 2	_
	QUESTIONS BY MR. KO: 12:24:23		peculiar? 12:26:28
2	QUESTIONS BY MR. KO: 12:24:23 Q. So in addition to it being a 12:24:24	2	peculiar? 12:26:28  MR. O'CONNOR: Objection to 12:26:28
2 3	QUESTIONS BY MR. KO: 12:24:23  Q. So in addition to it being a 12:24:24 term that you used, is it accurate to say 12:24:26	2	peculiar? 12:26:28  MR. O'CONNOR: Objection to 12:26:28  form. 12:26:29
2 3 4	QUESTIONS BY MR. KO: 12:24:23 Q. So in addition to it being a 12:24:24 term that you used, is it accurate to say 12:24:26 that at Mallinckrodt, before making a 12:24:28	2 3 4	peculiar? 12:26:28  MR. O'CONNOR: Objection to 12:26:28  form. 12:26:29  THE WITNESS: Peculiar, using 12:26:29
2 3 4 5	QUESTIONS BY MR. KO: 12:24:23 Q. So in addition to it being a 12:24:24 term that you used, is it accurate to say 12:24:26 that at Mallinckrodt, before making a 12:24:28 determination with respect to whether an 12:24:31	2 3 4 5	peculiar? 12:26:28  MR. O'CONNOR: Objection to 12:26:28  form. 12:26:29  THE WITNESS: Peculiar, using 12:26:29  the strictest definition of the term. 12:26:37
2 3 4 5 6	QUESTIONS BY MR. KO: 12:24:23 Q. So in addition to it being a 12:24:24 term that you used, is it accurate to say 12:24:26 that at Mallinckrodt, before making a 12:24:28 determination with respect to whether an 12:24:31 order was suspicious, the existing SOM 12:24:33	2 3 4 5 6	peculiar? 12:26:28  MR. O'CONNOR: Objection to 12:26:28  form. 12:26:29  THE WITNESS: Peculiar, using 12:26:29  the strictest definition of the term. 12:26:37  The national account managers, if they 12:26:43
2 3 4 5 6 7	QUESTIONS BY MR. KO: 12:24:23 Q. So in addition to it being a 12:24:24 term that you used, is it accurate to say 12:24:26 that at Mallinckrodt, before making a 12:24:28 determination with respect to whether an 12:24:31 order was suspicious, the existing SOM 12:24:33 program at the time determined first whether 12:24:37	2 3 4 5 6 7	peculiar? 12:26:28  MR. O'CONNOR: Objection to 12:26:28  form. 12:26:29  THE WITNESS: Peculiar, using 12:26:29 the strictest definition of the term. 12:26:37 The national account managers, if they 12:26:43 saw something when they were at the 12:26:43
2 3 4 5 6 7 8	QUESTIONS BY MR. KO: 12:24:23  Q. So in addition to it being a 12:24:24 term that you used, is it accurate to say 12:24:26 that at Mallinckrodt, before making a 12:24:28 determination with respect to whether an 12:24:31 order was suspicious, the existing SOM 12:24:33 program at the time determined first whether 12:24:37 an order was peculiar? 12:24:39	2 3 4 5 6 7 8	peculiar? 12:26:28  MR. O'CONNOR: Objection to 12:26:28  form. 12:26:29  THE WITNESS: Peculiar, using 12:26:29  the strictest definition of the term. 12:26:37  The national account managers, if they 12:26:43  saw something when they were at the 12:26:43  accounts, the customer service review 12:26:43
2 3 4 5 6 7 8	QUESTIONS BY MR. KO: 12:24:23  Q. So in addition to it being a 12:24:24 term that you used, is it accurate to say 12:24:26 that at Mallinckrodt, before making a 12:24:28 determination with respect to whether an 12:24:31 order was suspicious, the existing SOM 12:24:33 program at the time determined first whether 12:24:37 an order was peculiar? 12:24:39  A. Yes, that was the term we used, 12:24:42	2 3 4 5 6 7 8	peculiar? 12:26:28  MR. O'CONNOR: Objection to 12:26:28  form. 12:26:29  THE WITNESS: Peculiar, using 12:26:29  the strictest definition of the term. 12:26:37  The national account managers, if they 12:26:43  saw something when they were at the 12:26:43  accounts, the customer service review 12:26:43  and the peculiar order algorithm 12:26:50
2 3 4 5 6 7 8 9	QUESTIONS BY MR. KO:  Q. So in addition to it being a 12:24:24 term that you used, is it accurate to say 12:24:26 that at Mallinckrodt, before making a 12:24:28 determination with respect to whether an 12:24:31 order was suspicious, the existing SOM 12:24:33 program at the time determined first whether 12:24:37 an order was peculiar? 12:24:39  A. Yes, that was the term we used, 12:24:42 yes. 12:24:46	2 3 4 5 6 7 8 9	peculiar? 12:26:28  MR. O'CONNOR: Objection to 12:26:28  form. 12:26:29  THE WITNESS: Peculiar, using 12:26:29 the strictest definition of the term. 12:26:37 The national account managers, if they 12:26:43 saw something when they were at the 12:26:43 accounts, the customer service review 12:26:43 and the peculiar order algorithm 12:26:50 detection, yes. 12:26:50
2 3 4 5 6 7 8 9 10	QUESTIONS BY MR. KO:  Q. So in addition to it being a 12:24:24 term that you used, is it accurate to say 12:24:26 that at Mallinckrodt, before making a 12:24:28 determination with respect to whether an 12:24:31 order was suspicious, the existing SOM 12:24:33 program at the time determined first whether 12:24:37 an order was peculiar? 12:24:39  A. Yes, that was the term we used, 12:24:42 yes. 12:24:46  Q. And then once an order was 12:24:46	2 3 4 5 6 7 8 9 10	peculiar? 12:26:28  MR. O'CONNOR: Objection to 12:26:28  form. 12:26:29  THE WITNESS: Peculiar, using 12:26:29  the strictest definition of the term. 12:26:37  The national account managers, if they 12:26:43  saw something when they were at the 12:26:43  accounts, the customer service review 12:26:43  and the peculiar order algorithm 12:26:50  detection, yes. 12:26:50  QUESTIONS BY MR. KO: 12:26:52
2 3 4 5 6 7 8 9 10 11	QUESTIONS BY MR. KO: 12:24:23  Q. So in addition to it being a 12:24:24 term that you used, is it accurate to say 12:24:26 that at Mallinckrodt, before making a 12:24:28 determination with respect to whether an 12:24:31 order was suspicious, the existing SOM 12:24:33 program at the time determined first whether 12:24:37 an order was peculiar? 12:24:39  A. Yes, that was the term we used, 12:24:42 yes. 12:24:46 Q. And then once an order was 12:24:46 deemed to be peculiar, you subsequently made 12:24:48	2 3 4 5 6 7 8 9 10 11	peculiar? 12:26:28  MR. O'CONNOR: Objection to 12:26:28 form. 12:26:29  THE WITNESS: Peculiar, using 12:26:29 the strictest definition of the term. 12:26:37 The national account managers, if they 12:26:43 saw something when they were at the 12:26:43 accounts, the customer service review 12:26:43 and the peculiar order algorithm 12:26:50 detection, yes. 12:26:50 QUESTIONS BY MR. KO: 12:26:52 Q. Okay. So I'm setting aside the 12:26:52
2 3 4 5 6 7 8 9 10 11 12 13	QUESTIONS BY MR. KO:  Q. So in addition to it being a 12:24:24  term that you used, is it accurate to say 12:24:26  that at Mallinckrodt, before making a 12:24:28  determination with respect to whether an order was suspicious, the existing SOM 12:24:31  program at the time determined first whether 12:24:37  an order was peculiar? 12:24:39  A. Yes, that was the term we used, 12:24:42  yes. 12:24:46  Q. And then once an order was 12:24:46  deemed to be peculiar, you subsequently made 12:24:48  a determination of whether or not that order 12:24:50	2 3 4 5 6 7 8 9 10 11 12 13	peculiar? 12:26:28  MR. O'CONNOR: Objection to 12:26:28  form. 12:26:29  THE WITNESS: Peculiar, using 12:26:29  the strictest definition of the term. 12:26:37  The national account managers, if they 12:26:43  saw something when they were at the 12:26:43  accounts, the customer service review 12:26:43  and the peculiar order algorithm 12:26:50  detection, yes. 12:26:50  QUESTIONS BY MR. KO: 12:26:52  Q. Okay. So I'm setting aside the 12:26:52  algorithm detection. 12:26:54
2 3 4 5 6 7 8 9 10 11 12 13	QUESTIONS BY MR. KO:  Q. So in addition to it being a 12:24:24  term that you used, is it accurate to say 12:24:26  that at Mallinckrodt, before making a 12:24:28  determination with respect to whether an 12:24:31  order was suspicious, the existing SOM 12:24:33  program at the time determined first whether 12:24:37  an order was peculiar? 12:24:39  A. Yes, that was the term we used, 12:24:42  yes. 12:24:46  Q. And then once an order was 12:24:46  deemed to be peculiar, you subsequently made 12:24:48  a determination of whether or not that order 12:24:50  was suspicious, correct? 12:24:53	2 3 4 5 6 7 8 9 10 11 12 13	peculiar? 12:26:28  MR. O'CONNOR: Objection to 12:26:28  form. 12:26:29  THE WITNESS: Peculiar, using 12:26:29  the strictest definition of the term. 12:26:37  The national account managers, if they 12:26:43  saw something when they were at the 12:26:43  accounts, the customer service review 12:26:43  and the peculiar order algorithm 12:26:50  detection, yes. 12:26:50  QUESTIONS BY MR. KO: 12:26:52  Q. Okay. So I'm setting aside the 12:26:52  algorithm detection. 12:26:54  A. Okay. 12:26:55
2 3 4 5 6 7 8 9 10 11 12 13 14 15	QUESTIONS BY MR. KO:  Q. So in addition to it being a 12:24:24 term that you used, is it accurate to say 12:24:26 that at Mallinckrodt, before making a 12:24:28 determination with respect to whether an 12:24:31 order was suspicious, the existing SOM 12:24:33 program at the time determined first whether 12:24:37 an order was peculiar? 12:24:39 A. Yes, that was the term we used, 12:24:42 yes. 12:24:46 Q. And then once an order was 12:24:46 deemed to be peculiar, you subsequently made 12:24:48 a determination of whether or not that order 12:24:50 was suspicious, correct? 12:24:55 A. Yes. 12:24:55	2 3 4 5 6 7 8 9 10 11 12 13 14	peculiar? 12:26:28  MR. O'CONNOR: Objection to 12:26:28 form. 12:26:29  THE WITNESS: Peculiar, using 12:26:37 The national account managers, if they 12:26:43 saw something when they were at the 12:26:43 accounts, the customer service review 12:26:43 and the peculiar order algorithm 12:26:50 detection, yes. 12:26:50 QUESTIONS BY MR. KO: 12:26:52 Q. Okay. So I'm setting aside the 12:26:52 algorithm detection. 12:26:54 A. Okay. 12:26:55 Q. So for purposes of identifying 12:26:56
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	QUESTIONS BY MR. KO:  Q. So in addition to it being a 12:24:24  term that you used, is it accurate to say 12:24:26  that at Mallinckrodt, before making a 12:24:28  determination with respect to whether an 12:24:31  order was suspicious, the existing SOM 12:24:33  program at the time determined first whether 12:24:37  an order was peculiar? 12:24:39  A. Yes, that was the term we used, 12:24:42  yes. 12:24:46  Q. And then once an order was 12:24:46  deemed to be peculiar, you subsequently made 12:24:48  a determination of whether or not that order 12:24:50  was suspicious, correct? 12:24:55  A. Yes. 12:24:55  Q. Okay. And you had mentioned a 12:24:56	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	peculiar? 12:26:28  MR. O'CONNOR: Objection to 12:26:28  form. 12:26:29  THE WITNESS: Peculiar, using 12:26:29  the strictest definition of the term. 12:26:37  The national account managers, if they 12:26:43  saw something when they were at the 12:26:43  accounts, the customer service review 12:26:43  and the peculiar order algorithm 12:26:50  detection, yes. 12:26:50  QUESTIONS BY MR. KO: 12:26:52  Q. Okay. So I'm setting aside the 12:26:52  algorithm detection. 12:26:55  Q. So for purposes of identifying 12:26:56  an order as peculiar, do you recall any 12:26:59
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	QUESTIONS BY MR. KO:  Q. So in addition to it being a 12:24:24  term that you used, is it accurate to say 12:24:26  that at Mallinckrodt, before making a 12:24:28  determination with respect to whether an 12:24:31  order was suspicious, the existing SOM 12:24:33  program at the time determined first whether 12:24:37  an order was peculiar? 12:24:39  A. Yes, that was the term we used, 12:24:42  yes. 12:24:46  Q. And then once an order was 12:24:46  deemed to be peculiar, you subsequently made 12:24:48  a determination of whether or not that order 12:24:50  was suspicious, correct? 12:24:55  Q. Okay. And you had mentioned a 12:24:56  moment ago that there were other 12:25:11	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	peculiar? 12:26:28  MR. O'CONNOR: Objection to 12:26:28  form. 12:26:29  THE WITNESS: Peculiar, using 12:26:29  the strictest definition of the term. 12:26:37  The national account managers, if they 12:26:43  saw something when they were at the 12:26:43  accounts, the customer service review 12:26:43  and the peculiar order algorithm 12:26:50  detection, yes. 12:26:50  QUESTIONS BY MR. KO: 12:26:52  Q. Okay. So I'm setting aside the 12:26:52  algorithm detection. 12:26:54  A. Okay. 12:26:55  Q. So for purposes of identifying 12:26:56  an order as peculiar, do you recall any 12:26:59  instances in the 2007 through 2010 time 12:27:00
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	QUESTIONS BY MR. KO:  Q. So in addition to it being a 12:24:24 term that you used, is it accurate to say 12:24:26 that at Mallinckrodt, before making a 12:24:28 determination with respect to whether an 12:24:31 order was suspicious, the existing SOM 12:24:33 program at the time determined first whether 12:24:37 an order was peculiar? 12:24:39 A. Yes, that was the term we used, 12:24:42 yes. 12:24:46 Q. And then once an order was 12:24:46 deemed to be peculiar, you subsequently made 12:24:48 a determination of whether or not that order 12:24:50 was suspicious, correct? 12:24:55 Q. Okay. And you had mentioned a 12:24:56 moment ago that there were other 12:25:11 circumstances besides the algorithm that 12:25:14	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	mR. O'CONNOR: Objection to 12:26:28 form. 12:26:29 THE WITNESS: Peculiar, using 12:26:29 the strictest definition of the term. 12:26:37 The national account managers, if they 12:26:43 saw something when they were at the 12:26:43 accounts, the customer service review 12:26:43 and the peculiar order algorithm 12:26:50 detection, yes. 12:26:50 QUESTIONS BY MR. KO: 12:26:52 Q. Okay. So I'm setting aside the 12:26:52 algorithm detection. 12:26:54 A. Okay. 12:26:55 Q. So for purposes of identifying 12:26:56 an order as peculiar, do you recall any 12:26:59 instances in the 2007 through 2010 time 12:27:00 period in which orders were identified as 12:27:03
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	QUESTIONS BY MR. KO:  Q. So in addition to it being a 12:24:24 term that you used, is it accurate to say 12:24:26 that at Mallinckrodt, before making a 12:24:28 determination with respect to whether an 12:24:31 order was suspicious, the existing SOM 12:24:33 program at the time determined first whether 12:24:37 an order was peculiar? 12:24:39 A. Yes, that was the term we used, 12:24:42 yes. 12:24:46 Q. And then once an order was 12:24:46 deemed to be peculiar, you subsequently made 12:24:48 a determination of whether or not that order 12:24:50 was suspicious, correct? 12:24:55 Q. Okay. And you had mentioned a 12:24:56 moment ago that there were other 12:25:11 circumstances besides the algorithm that 12:25:14 would potentially make an order peculiar. 12:25:17	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	mR. O'CONNOR: Objection to 12:26:28 form. 12:26:29 THE WITNESS: Peculiar, using 12:26:29 the strictest definition of the term. 12:26:37 The national account managers, if they 12:26:43 saw something when they were at the 12:26:43 accounts, the customer service review 12:26:43 and the peculiar order algorithm 12:26:50 detection, yes. 12:26:50 QUESTIONS BY MR. KO: 12:26:52 Q. Okay. So I'm setting aside the 12:26:52 algorithm detection. 12:26:55 Q. So for purposes of identifying 12:26:56 an order as peculiar, do you recall any 12:26:59 instances in the 2007 through 2010 time 12:27:00 period in which orders were identified as 12:27:03 peculiar by either a CSR or an NAM, separate 12:27:05
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	QUESTIONS BY MR. KO:  Q. So in addition to it being a 12:24:24 term that you used, is it accurate to say 12:24:26 that at Mallinckrodt, before making a 12:24:28 determination with respect to whether an 12:24:31 order was suspicious, the existing SOM 12:24:33 program at the time determined first whether 12:24:37 an order was peculiar? 12:24:39  A. Yes, that was the term we used, 12:24:42 yes. 12:24:46  Q. And then once an order was 12:24:46 deemed to be peculiar, you subsequently made 12:24:48 a determination of whether or not that order 12:24:50 was suspicious, correct? 12:24:53  A. Yes. 12:24:55  Q. Okay. And you had mentioned a 12:25:11 circumstances besides the algorithm that 12:25:14 would potentially make an order peculiar. 12:25:17 Do you recall that? 12:25:20	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	mR. O'CONNOR: Objection to 12:26:28 form. 12:26:29 THE WITNESS: Peculiar, using 12:26:29 the strictest definition of the term. 12:26:37 The national account managers, if they 12:26:43 saw something when they were at the 12:26:43 accounts, the customer service review 12:26:43 and the peculiar order algorithm 12:26:50 detection, yes. 12:26:50  QUESTIONS BY MR. KO: 12:26:52 Q. Okay. So I'm setting aside the 12:26:52 algorithm detection. 12:26:54 A. Okay. 12:26:55 Q. So for purposes of identifying 12:26:56 an order as peculiar, do you recall any 12:26:59 instances in the 2007 through 2010 time 12:27:00 period in which orders were identified as 12:27:03 peculiar by either a CSR or an NAM, separate 12:27:10
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	QUESTIONS BY MR. KO:  Q. So in addition to it being a 12:24:24 term that you used, is it accurate to say 12:24:26 that at Mallinckrodt, before making a 12:24:28 determination with respect to whether an 12:24:31 order was suspicious, the existing SOM 12:24:33 program at the time determined first whether 12:24:37 an order was peculiar? 12:24:39 A. Yes, that was the term we used, 12:24:42 yes. 12:24:46 Q. And then once an order was 12:24:46 deemed to be peculiar, you subsequently made 12:24:48 a determination of whether or not that order 12:24:50 was suspicious, correct? 12:24:53 A. Yes. 12:24:55 Q. Okay. And you had mentioned a 12:25:11 circumstances besides the algorithm that 12:25:14 would potentially make an order peculiar. 12:25:27 Do you recall that? 12:25:20 A. Yes. I'm using the terms 12:25:26	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	mR. O'CONNOR: Objection to 12:26:28 form. 12:26:29 THE WITNESS: Peculiar, using 12:26:29 the strictest definition of the term. 12:26:37 The national account managers, if they 12:26:43 saw something when they were at the 12:26:43 accounts, the customer service review 12:26:43 and the peculiar order algorithm 12:26:50 detection, yes. 12:26:50 QUESTIONS BY MR. KO: 12:26:52 Q. Okay. So I'm setting aside the 12:26:52 algorithm detection. 12:26:54 A. Okay. 12:26:55 Q. So for purposes of identifying 12:26:59 instances in the 2007 through 2010 time 12:27:00 period in which orders were identified as 12:27:03 peculiar by either a CSR or an NAM, separate 12:27:05 and apart from whether or not an algorithm 12:27:10 triggered the order to be peculiar? 12:27:14 A. Yes. 12:27:17
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	QUESTIONS BY MR. KO:  Q. So in addition to it being a 12:24:24 term that you used, is it accurate to say 12:24:26 that at Mallinckrodt, before making a 12:24:28 determination with respect to whether an 12:24:31 order was suspicious, the existing SOM 12:24:33 program at the time determined first whether 12:24:37 an order was peculiar? 12:24:39  A. Yes, that was the term we used, 12:24:42 yes. 12:24:46  Q. And then once an order was 12:24:46 deemed to be peculiar, you subsequently made 12:24:48 a determination of whether or not that order 12:24:50 was suspicious, correct? 12:24:53  A. Yes. 12:24:55  Q. Okay. And you had mentioned a 12:25:11 circumstances besides the algorithm that 12:25:14 would potentially make an order peculiar. 12:25:17  Do you recall that? 12:25:20  A. Yes. I'm using the terms 12:25:21 "peculiar," "suspicious," "unusual," 12:25:26 interchangeably, yes. 12:25:31	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	mR. O'CONNOR: Objection to 12:26:28 form. 12:26:29 THE WITNESS: Peculiar, using 12:26:29 the strictest definition of the term. 12:26:37 The national account managers, if they 12:26:43 saw something when they were at the 12:26:43 accounts, the customer service review 12:26:43 and the peculiar order algorithm 12:26:50 detection, yes. 12:26:50 QUESTIONS BY MR. KO: 12:26:52 Q. Okay. So I'm setting aside the 12:26:52 algorithm detection. 12:26:55 Q. So for purposes of identifying 12:26:56 an order as peculiar, do you recall any 12:26:59 instances in the 2007 through 2010 time 12:27:00 period in which orders were identified as 12:27:03 peculiar by either a CSR or an NAM, separate 12:27:05 and apart from whether or not an algorithm 12:27:10 triggered the order to be peculiar? 12:27:14 A. Yes. 12:27:17 Q. Okay. And other than the CSRs 12:27:18
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	QUESTIONS BY MR. KO:  Q. So in addition to it being a 12:24:24 term that you used, is it accurate to say 12:24:26 that at Mallinckrodt, before making a 12:24:28 determination with respect to whether an 12:24:31 order was suspicious, the existing SOM 12:24:33 program at the time determined first whether 12:24:37 an order was peculiar? 12:24:39  A. Yes, that was the term we used, 12:24:42 yes. 12:24:46  Q. And then once an order was 12:24:46 deemed to be peculiar, you subsequently made 12:24:48 a determination of whether or not that order 12:24:50 was suspicious, correct? 12:24:53  A. Yes. 12:24:55  Q. Okay. And you had mentioned a 12:25:11 circumstances besides the algorithm that 12:25:14 would potentially make an order peculiar. 12:25:17  Do you recall that? 12:25:20  A. Yes. I'm using the terms 12:25:21 "peculiar," "suspicious," "unusual," 12:25:26 interchangeably, yes. 12:25:31	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	mR. O'CONNOR: Objection to 12:26:28 form. 12:26:29 THE WITNESS: Peculiar, using 12:26:29 the strictest definition of the term. 12:26:37 The national account managers, if they 12:26:43 saw something when they were at the 12:26:43 accounts, the customer service review 12:26:43 and the peculiar order algorithm 12:26:50 detection, yes. 12:26:50 QUESTIONS BY MR. KO: 12:26:52 Q. Okay. So I'm setting aside the 12:26:52 algorithm detection. 12:26:55 Q. So for purposes of identifying 12:26:56 an order as peculiar, do you recall any 12:26:59 instances in the 2007 through 2010 time 12:27:00 period in which orders were identified as 12:27:03 peculiar by either a CSR or an NAM, separate 12:27:05 and apart from whether or not an algorithm 12:27:10 triggered the order to be peculiar? 12:27:14 A. Yes. 12:27:17 Q. Okay. And other than the CSRs 12:27:18

	Page 198		Page 200
1	whether or not that order was peculiar? 12:27:26		necessary to determine whether or not that 12:29:18
2	Separate and apart from the algorithm. 12:27:32		is, in fact, suspicious, correct? 12:29:21
3	A. Separate from the algorithm? 12:27:33	3	A. Correct. 12:29:22
4	So may I ask a question, 12:27:37	4	Q. So it's your testimony sitting 12:29:23
5	please? 12:27:38 Q. Sure. 12:27:38		here today that you did not always perform 12:29:27 due diligence on peculiar orders before 12:29:29
7	<ul><li>Q. Sure. 12:27:38</li><li>A. So there was we spoke 12:27:39</li></ul>		shipping them, correct? 12:29:31
8	earlier about a circumstance where a DEA 12:27:40	8	MR. O'CONNOR: Objection to 12:29:31
9	investigator contacted Mallinckrodt. It was 12:27:44	9	form. 12:29:32
10	a compounding pharmacy. So I don't know if 12:27:48	10	THE WITNESS: Correct. 12:29:32
11	that was within the same time frame. 12:27:50		QUESTIONS BY MR. KO: 12:29:33
12	But so my point is, peculiar 12:27:52	12	Q. Okay. Shipping of a peculiar 12:30:03
13	order information could come from an external 12:27:56		order without doing due diligence would seem 12:30:04
14	source, potentially. 12:27:59		contradictory to what Ms. Stewart is trying 12:30:06
15	Q. Okay. So other than an 12:28:00		to describe here, right? 12:30:10
16	external source or from some evaluation made 12:28:03	16	MR. O'CONNOR: Objection to 12:30:12
17	by a CSR or an NAM, apart from the algorithm 12:28:06	17	form. 12:30:13
18	that triggered a peculiar order, were there 12:28:11	18	THE WITNESS: Yes. 12:30:13
19	any other circumstances in which a peculiar 12:28:15	19 (	QUESTIONS BY MR. KO: 12:30:16
20	order was identified at Mallinckrodt? 12:28:19	20	Q. Okay. And to be clear, so the 12:30:17
21	A. No. 12:28:20	21 1	record is clear, she is suggesting that if an 12:30:21
22	Q. Okay. Is it your understanding 12:28:21	22 (	order is deemed peculiar, it should be placed 12:30:23
23	that Mallinckrodt could not ship a peculiar 12:28:30	23 (	on hold and the DEA compliance group will be 12:30:26
24	order without first conducting some sort of 12:28:37	24	advised. 12:30:30
25	due diligence on that order? 12:28:38	25	Do you see that? 12:30:30
	Page 199		Page 201
1	A. It is not. 12:28:39	1	A. I do. 12:30:31
1	11. 10 10 10 10 11 12 12 0 13 7		
2	MR. O'CONNOR: Objection to 12:28:39	2	Q. And in particular, Mr. Ratliff 12:30:32
			Q. And in particular, Mr. Ratliff 12:30:32 and you are the DEA compliance group as 12:30:34
2	MR. O'CONNOR: Objection to 12:28:39	3 ;	
2 3	MR. O'CONNOR: Objection to 12:28:39 form. 12:28:40	3 ;	and you are the DEA compliance group as 12:30:34
2 3 4	MR. O'CONNOR: Objection to 12:28:39 form. 12:28:40 UESTIONS BY MR. KO: 12:28:40	3 4	and you are the DEA compliance group as 12:30:34 referenced by Ms. Stewart, correct? 12:30:38
2 3 4 5	MR. O'CONNOR: Objection to 12:28:39 form. 12:28:40  QUESTIONS BY MR. KO: 12:28:40  Q. It is not your understanding. 12:28:41 So a peculiar order could ship 12:28:42  without conducting due diligence then, 12:28:43	3 4 1 5 6 7 6	and you are the DEA compliance group as 12:30:34 referenced by Ms. Stewart, correct? 12:30:38  A. Correct. 12:30:39  Q. And she also states that "DEA 12:30:40 compliance will then conduct a more in-depth 12:30:44
2 3 4 5 6	MR. O'CONNOR: Objection to 12:28:39 form. 12:28:40  QUESTIONS BY MR. KO: 12:28:40  Q. It is not your understanding. 12:28:41 So a peculiar order could ship 12:28:42  without conducting due diligence then, correct? 12:28:45	3 4 1 5 6 7 6 8 i	and you are the DEA compliance group as 12:30:34 referenced by Ms. Stewart, correct? 12:30:38  A. Correct. 12:30:39  Q. And she also states that "DEA 12:30:40 compliance will then conduct a more in-depth 12:30:44 investigation and determine if the situation 12:30:47
2 3 4 5 6 7 8	MR. O'CONNOR: Objection to 12:28:39 for    MR. O'CONNOR: Objection to 12:28:39    12:28:40    QUESTIONS BY MR. KO: 12:28:40    Q. It is not your understanding. 12:28:41    So a peculiar order could ship 12:28:42    without conducting due diligence then, 12:28:43    correct? 12:28:45    A. Correct. 12:28:45	3 ; 4 ; 5 ; 6 ; 7 ; 6 ; 8 ; 9 ; 9	and you are the DEA compliance group as 12:30:34 referenced by Ms. Stewart, correct? 12:30:38  A. Correct. 12:30:39  Q. And she also states that "DEA 12:30:40 compliance will then conduct a more in-depth 12:30:44 investigation and determine if the situation 12:30:47 warrants notification to the DEA." 12:30:49
2 3 4 5 6 7 8 9	MR. O'CONNOR: Objection to form. 12:28:39  form. 12:28:40  QUESTIONS BY MR. KO: 12:28:40  Q. It is not your understanding. 12:28:41	3 ; 4 1 5 6 7 6 8 i 9 1	and you are the DEA compliance group as 12:30:34 referenced by Ms. Stewart, correct? 12:30:38  A. Correct. 12:30:39  Q. And she also states that "DEA 12:30:40 compliance will then conduct a more in-depth 12:30:44 investigation and determine if the situation 12:30:47 warrants notification to the DEA." 12:30:49  Do you see that? 12:30:51
2 3 4 5 6 7 8 9 10	MR. O'CONNOR: Objection to form.       12:28:39         form.       12:28:40         QUESTIONS BY MR. KO:       12:28:40         Q.       It is not your understanding.       12:28:41         So a peculiar order could ship       12:28:42         without conducting due diligence then, correct?       12:28:45         A.       Correct.       12:28:45         Q.       Okay. So isn't that an unusual circumstance?       12:28:46	3 ; 4 ; 5 ; 6 ; 7 ; 8 ; 9 ; 10 ; 11	and you are the DEA compliance group as 12:30:34 referenced by Ms. Stewart, correct? 12:30:38  A. Correct. 12:30:39  Q. And she also states that "DEA 12:30:40 compliance will then conduct a more in-depth 12:30:44 investigation and determine if the situation 12:30:47 warrants notification to the DEA." 12:30:49  Do you see that? 12:30:51  A. I do see it. 12:30:52
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2 3 4 5 6 7 8 9 10 11 12 13 14	MR. O'CONNOR: Objection to form.       12:28:39         form.       12:28:40         QUESTIONS BY MR. KO:       12:28:40         Q.       It is not your understanding.       12:28:41         So a peculiar order could ship       12:28:42         without conducting due diligence then, correct?       12:28:45         A.       Correct.       12:28:45         Q.       Okay. So isn't that an unusual circumstance?       12:28:55         MR. O'CONNOR: Objection to form.       12:28:55         QUESTIONS BY MR. KO:       12:28:57	3 ; 4 1 5 6 7 6 8 i 9 10 11 12 13 11 14 i	and you are the DEA compliance group as 12:30:34 referenced by Ms. Stewart, correct? 12:30:38 A. Correct. 12:30:39 Q. And she also states that "DEA 12:30:40 compliance will then conduct a more in-depth 12:30:44 investigation and determine if the situation 12:30:47 warrants notification to the DEA." 12:30:49 Do you see that? 12:30:51 A. I do see it. 12:30:52 Q. And so your testimony, so the 12:30:53 record is clear, is that that more in-depth 12:30:55 investigation did not always occur, correct? 12:30:58
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	MR. O'CONNOR: Objection to form.       12:28:39         form.       12:28:40         QUESTIONS BY MR. KO:       12:28:40         Q.       It is not your understanding.       12:28:41         So a peculiar order could ship       12:28:42         without conducting due diligence then,       12:28:43         correct?       12:28:45         A.       Correct.       12:28:45         Q.       Okay. So isn't that an unusual       12:28:46         circumstance?       12:28:55         MR. O'CONNOR: Objection to form.       12:28:57         QUESTIONS BY MR. KO:       12:28:57         Q.       In other words, if you're not       12:28:57         performing any earlier we made a       12:29:01	3 ; 4 1 5 6 7 6 8 i 9 1 10 11 12 13 1 14 i 15 16	and you are the DEA compliance group as 12:30:34 referenced by Ms. Stewart, correct? 12:30:38  A. Correct. 12:30:39  Q. And she also states that "DEA 12:30:40 compliance will then conduct a more in-depth 12:30:44 investigation and determine if the situation 12:30:47 warrants notification to the DEA." 12:30:49  Do you see that? 12:30:51  A. I do see it. 12:30:52  Q. And so your testimony, so the 12:30:53 record is clear, is that that more in-depth 12:30:55 investigation did not always occur, correct? 12:30:58  MR. O'CONNOR: Objection to 12:30:59 form. 12:31:00
2 3 4 5 6 7 8 9 10 11 12 13 14 15	MR. O'CONNOR: Objection to form. 12:28:39  form. 12:28:40  QUESTIONS BY MR. KO: 12:28:40  Q. It is not your understanding. 12:28:41 So a peculiar order could ship 12:28:42  without conducting due diligence then, 12:28:43  correct? 12:28:45 A. Correct. 12:28:45 Q. Okay. So isn't that an unusual 12:28:46  circumstance? 12:28:55  MR. O'CONNOR: Objection to 12:28:55  form. 12:28:57  QUESTIONS BY MR. KO: 12:28:57  Q. In other words, if you're not 12:28:57  performing any earlier we made a 12:29:01  distinction between peculiar and suspicious 12:29:03	3 ; 4 1 5 6 7 6 8 i 9 1 10 11 12 13 1 14 i 15	and you are the DEA compliance group as 12:30:34 referenced by Ms. Stewart, correct? 12:30:38  A. Correct. 12:30:39  Q. And she also states that "DEA 12:30:40 compliance will then conduct a more in-depth 12:30:44 investigation and determine if the situation 12:30:47 warrants notification to the DEA." 12:30:49  Do you see that? 12:30:51  A. I do see it. 12:30:52  Q. And so your testimony, so the 12:30:53 record is clear, is that that more in-depth 12:30:55 investigation did not always occur, correct? 12:30:58  MR. O'CONNOR: Objection to 12:30:59 form. 12:31:00  THE WITNESS: There were times 12:31:00
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	MR. O'CONNOR: Objection to form. 12:28:39  GUESTIONS BY MR. KO: 12:28:40  Q. It is not your understanding. 12:28:41 So a peculiar order could ship 12:28:42  without conducting due diligence then, 12:28:45 A. Correct. 12:28:45 Q. Okay. So isn't that an unusual 12:28:46  circumstance? 12:28:55 MR. O'CONNOR: Objection to 12:28:55  form. 12:28:57 QUESTIONS BY MR. KO: 12:28:57  Q. In other words, if you're not 12:28:57  performing any earlier we made a 12:29:01  distinction between peculiar and suspicious 12:29:03  orders, correct? 12:29:05	3 ; 4 ; 5 ; 6 ; 7 ; 8 ; 9 ; 10 ; 11 ; 12 ; 13 ; 14 ; 15 ; 16 ; 17	and you are the DEA compliance group as referenced by Ms. Stewart, correct? 12:30:38  A. Correct. 12:30:39  Q. And she also states that "DEA 12:30:40 compliance will then conduct a more in-depth 12:30:44 investigation and determine if the situation 12:30:47 warrants notification to the DEA." 12:30:49  Do you see that? 12:30:51  A. I do see it. 12:30:52  Q. And so your testimony, so the 12:30:53 record is clear, is that that more in-depth 12:30:55 investigation did not always occur, correct? 12:30:58  MR. O'CONNOR: Objection to 12:30:59 form. 12:31:00  THE WITNESS: There were times 12:31:00 that we shipped an order before the 12:31:01
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR. O'CONNOR: Objection to form. 12:28:39  form. 12:28:40  QUESTIONS BY MR. KO: 12:28:41  So a peculiar order could ship 12:28:42  without conducting due diligence then, 12:28:43  correct? 12:28:45  A. Correct. 12:28:45  Q. Okay. So isn't that an unusual 12:28:46  circumstance? 12:28:55  MR. O'CONNOR: Objection to 12:28:55  form. 12:28:57  QUESTIONS BY MR. KO: 12:28:57  Q. In other words, if you're not 12:28:57  performing any earlier we made a 12:29:01  distinction between peculiar and suspicious 12:29:03  orders, correct? 12:29:05  A. Correct. 12:29:05	3 ; 4 1 5 6 7 6 8 i 9 1 10 11 12 13 1 14 i 15 16 17 18	and you are the DEA compliance group as 12:30:34 referenced by Ms. Stewart, correct? 12:30:38  A. Correct. 12:30:39  Q. And she also states that "DEA 12:30:40 compliance will then conduct a more in-depth 12:30:44 investigation and determine if the situation 12:30:47 warrants notification to the DEA." 12:30:49  Do you see that? 12:30:51  A. I do see it. 12:30:52  Q. And so your testimony, so the 12:30:53 record is clear, is that that more in-depth 12:30:55 investigation did not always occur, correct? 12:30:58  MR. O'CONNOR: Objection to 12:30:59 form. 12:31:00  THE WITNESS: There were times 12:31:00 that we shipped an order before the 12:31:01 review was complete, but we never 12:31:03
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR. O'CONNOR: Objection to form. 12:28:39  form. 12:28:40  QUESTIONS BY MR. KO: 12:28:41  So a peculiar order could ship 12:28:42  without conducting due diligence then, 12:28:43  correct? 12:28:45  A. Correct. 12:28:45  Q. Okay. So isn't that an unusual 12:28:46  circumstance? 12:28:55  MR. O'CONNOR: Objection to 12:28:55  form. 12:28:57  QUESTIONS BY MR. KO: 12:28:57  Q. In other words, if you're not 12:28:57  performing any earlier we made a 12:29:01  distinction between peculiar and suspicious 12:29:03  orders, correct? 12:29:05  A. Correct. 12:29:05  Q. And the latter is something 12:29:05	3 ; 4 1 5 6 7 6 8 i 9 1 10 11 12 13 1 14 i 15 16 17 18 19 20	and you are the DEA compliance group as 12:30:34 referenced by Ms. Stewart, correct? 12:30:38  A. Correct. 12:30:39  Q. And she also states that "DEA 12:30:40 compliance will then conduct a more in-depth 12:30:44 investigation and determine if the situation 12:30:47 warrants notification to the DEA." 12:30:49  Do you see that? 12:30:51  A. I do see it. 12:30:52  Q. And so your testimony, so the 12:30:53 record is clear, is that that more in-depth 12:30:55 investigation did not always occur, correct? 12:30:58  MR. O'CONNOR: Objection to 12:30:59 form. 12:31:00  THE WITNESS: There were times 12:31:00 that we shipped an order before the 12:31:03
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR. O'CONNOR: Objection to form. 12:28:39  GUESTIONS BY MR. KO: 12:28:40  Q. It is not your understanding. 12:28:41 So a peculiar order could ship 12:28:42  without conducting due diligence then, 12:28:45 A. Correct. 12:28:45 Q. Okay. So isn't that an unusual 12:28:46  circumstance? 12:28:55  MR. O'CONNOR: Objection to 12:28:55  form. 12:28:57  QUESTIONS BY MR. KO: 12:28:57  Q. In other words, if you're not 12:28:57  performing any earlier we made a 12:29:01  distinction between peculiar and suspicious 12:29:03  orders, correct? 12:29:05  A. Correct. 12:29:05  Q. And the latter is something 12:29:05  that you ultimately have to report to the 12:29:07	3 ; 4 1 5 6 7 6 8 i 9 10 11 12 13 1 14 i 15 16 17 18 19 20 21 6 22	and you are the DEA compliance group as referenced by Ms. Stewart, correct? 12:30:38  A. Correct. 12:30:39  Q. And she also states that "DEA 12:30:40 compliance will then conduct a more in-depth 12:30:44 investigation and determine if the situation 12:30:47 warrants notification to the DEA." 12:30:49  Do you see that? 12:30:51  A. I do see it. 12:30:52  Q. And so your testimony, so the 12:30:53 record is clear, is that that more in-depth 12:30:55 investigation did not always occur, correct? 12:30:58  MR. O'CONNOR: Objection to 12:30:59 form. 12:31:00  THE WITNESS: There were times 12:31:00 that we shipped an order before the 12:31:03 shipped a suspicious order. 12:31:06  QUESTIONS BY MR. KO: 12:31:07
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR. O'CONNOR: Objection to form. 12:28:39  form. 12:28:40  QUESTIONS BY MR. KO: 12:28:41  So a peculiar order could ship 12:28:42  without conducting due diligence then, 12:28:45  A. Correct. 12:28:45  Q. Okay. So isn't that an unusual 12:28:46  circumstance? 12:28:55  MR. O'CONNOR: Objection to 12:28:55  form. 12:28:57  QUESTIONS BY MR. KO: 12:28:57  Q. In other words, if you're not 12:28:57  performing any earlier we made a 12:29:01  distinction between peculiar and suspicious 12:29:03  orders, correct? 12:29:05  A. Correct. 12:29:05  that you ultimately have to report to the 12:29:07  DEA, correct? 12:29:08  A. Correct: 12:29:08  A. Correct: 12:29:09	3 ; 4 1 5 6 7 6 8 i 9 10 11 12 13 1 14 i 15 16 17 18 19 20 21 6 22 23 i	and you are the DEA compliance group as referenced by Ms. Stewart, correct? 12:30:38  A. Correct. 12:30:39  Q. And she also states that "DEA 12:30:40 compliance will then conduct a more in-depth 12:30:44 investigation and determine if the situation 12:30:47 warrants notification to the DEA." 12:30:49  Do you see that? 12:30:51  A. I do see it. 12:30:52  Q. And so your testimony, so the 12:30:53 record is clear, is that that more in-depth 12:30:55 investigation did not always occur, correct? 12:30:58  MR. O'CONNOR: Objection to 12:30:59 form. 12:31:00  THE WITNESS: There were times 12:31:00 that we shipped an order before the 12:31:01 review was complete, but we never 12:31:06  QUESTIONS BY MR. KO: 12:31:07  Q. Okay. Well, separate and apart 12:31:08 from the terminology now 12:31:09

	Page 202		Page 204
1	Ms. Stewart and your testimony here today, 12:31:14	1	develop criteria for orders that deviate from 12:33:55
2	after an order was deemed to be peculiar from 12:31:17	2	normal ordering patterns and/or from unusual 12:33:57
3	a variety of means that we discussed, it was 12:31:22	3	order frequency. Not yet sure how to capture 12:34:01
4	not always the case that the order was placed 12:31:26	4	this. Hope to identify an algorithm that 12:34:05
5	on hold and an in-depth investigation ensued, 12:31:30	5	will support a parsing through the data to 12:34:08
6	correct? 12:31:34	6	identify patterns, frequency, et cetera." 12:34:10
7	MR. O'CONNOR: Objection to 12:31:34	7	Did I read that correctly? 12:34:13
8	form. 12:31:34	8	A. Yes, you did. 12:34:14
9	THE WITNESS: So the order was 12:31:34	9	Q. So is it accurate to say that 12:34:15
10	always placed on hold, but sometimes 12:31:35	10	as the date of this e-mail, Mallinckrodt had 12:34:17
11	it was released from hold and shipped 12:31:37	11	not yet developed a criteria in its 12:34:18
12	prior to the completion of the review. 12:31:39	12	suspicious order monitoring system to 12:34:23
13	QUESTIONS BY MR. KO: 12:31:41	13	identify orders that deviate from a normal 12:34:25
14	Q. Okay. Now, a moment ago you 12:31:41	14	ordering pattern? 12:34:27
15	said that you believe you never shipped a 12:32:03	15	MR. O'CONNOR: Objection to 12:34:28
16	suspicious order, correct? 12:32:04	16	form. 12:34:32
17	A. Correct. 12:32:05 Q. But that is just simply based 12:32:05	17 18	THE WITNESS: Not correct. 12:34:35  QUESTIONS BY MR. KO: 12:34:36
19	Q. But that is just simply based 12:32:05 on your understanding of whether or not that 12:32:09	19	Q. Okay. Is it correct to say 12:34:36
20	formal label was made by someone at 12:32:11	20	that at the date of this e-mail, Mallinckrodt 12:34:37
21	Mallinckrodt, correct? 12:32:15	21	is working on revising the criteria for 12:34:39
22	MR. O'CONNOR: Objection to 12:32:17	22	identifying orders that deviate from a normal 12:34:42
23	form. 12:32:18	23	ordering pattern? 12:34:44
24	QUESTIONS BY MR. KO: 12:32:18	24	A. Yes. 12:34:44
25	Q. Let me ask a different way. 12:32:18	25	Q. And also accurate to say that 12:34:44
	Q. Let the ask a different way. 12.32.10		Q. This also accurate to say that 12.54.44
	Page 203		Page 205
1	If you release an order without 12:32:20	1	at this time Mallinckrodt is revising its 12:34:46
2	conducting an investigation or performing due 12:32:23		
		2	criteria for determining whether or not a 12:34:48
3	diligence, that order could potentially be 12:32:26	3	usual an order that deviates from usual 12:34:53
4	diligence, that order could potentially be 12:32:26 suspicious, could it not? 12:32:28	3 4	usual an order that deviates from usual 12:34:53 order frequency; is that correct? 12:34:56
4 5	diligence, that order could potentially be 12:32:26 suspicious, could it not? 12:32:28  MR. O'CONNOR: Objection to 12:32:30	3 4 5	usual an order that deviates from usual 12:34:53 order frequency; is that correct? 12:34:56 MR. O'CONNOR: Objection to 12:34:57
4 5 6	diligence, that order could potentially be 12:32:26 suspicious, could it not? 12:32:28  MR. O'CONNOR: Objection to 12:32:30 form. 12:32:30	3 4 5 6	usual an order that deviates from usual 12:34:53 order frequency; is that correct? 12:34:56 MR. O'CONNOR: Objection to 12:34:57 form. 12:34:58
4 5 6 7	diligence, that order could potentially be 12:32:26 suspicious, could it not? 12:32:28  MR. O'CONNOR: Objection to 12:32:30 form. 12:32:30  THE WITNESS: That's correct. 12:32:30	3 4 5 6 7	usual an order that deviates from usual 12:34:53 order frequency; is that correct? 12:34:56 MR. O'CONNOR: Objection to 12:34:57 form. 12:34:58 THE WITNESS: Correct. 12:34:58
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4 5 6 7 8 9	diligence, that order could potentially be 12:32:26 suspicious, could it not? 12:32:28  MR. O'CONNOR: Objection to 12:32:30 form. 12:32:30  THE WITNESS: That's correct. 12:32:30  QUESTIONS BY MR. KO: 12:32:31  Q. Okay. And in particular, just 12:32:48 to make sure the record is clear, if you 12:32:50	3 4 5 6 7 8 9	usual an order that deviates from usual 12:34:53 order frequency; is that correct? 12:34:56  MR. O'CONNOR: Objection to 12:34:57 form. 12:34:58  THE WITNESS: Correct. 12:34:58 QUESTIONS BY MR. KO: 12:34:58 Q. And Ms. Stewart indicates that 12:34:59 she's not sure how to capture this as of the 12:35:00
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4 5 6 7 8 9 10 11 12 13 14 15 16 17	diligence, that order could potentially be 12:32:26 suspicious, could it not? 12:32:28  MR. O'CONNOR: Objection to 12:32:30 form. 12:32:30  THE WITNESS: That's correct. 12:32:30  QUESTIONS BY MR. KO: 12:32:31  Q. Okay. And in particular, just 12:32:48 to make sure the record is clear, if you 12:32:50 release a peculiar order without conducting 12:32:53 an investigation or performing due diligence, 12:32:55 that peculiar order could potentially be 12:32:58 suspicious, could it not? 12:33:00  MR. O'CONNOR: Objection to 12:33:01 form. 12:33:02  THE WITNESS: It could. 12:33:04	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	usual an order that deviates from usual 12:34:53 order frequency; is that correct? 12:34:56  MR. O'CONNOR: Objection to 12:34:57 form. 12:34:58  THE WITNESS: Correct. 12:34:58 QUESTIONS BY MR. KO: 12:34:58 Q. And Ms. Stewart indicates that 12:34:59 she's not sure how to capture this as of the 12:35:00 date of this e-mail. 12:35:06 Do you see that? 12:35:07 A. I see that. 12:35:07 Q. And so is it fair to say that 12:35:08 you would you agree with this statement, 12:35:09 that at the time you weren't sure how to 12:35:11 capture this criteria in revising your SOM 12:35:12 policy? 12:35:15
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4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	diligence, that order could potentially be 12:32:26 suspicious, could it not? 12:32:28  MR. O'CONNOR: Objection to 12:32:30 form. 12:32:30  THE WITNESS: That's correct. 12:32:30  QUESTIONS BY MR. KO: 12:32:31  Q. Okay. And in particular, just 12:32:48 to make sure the record is clear, if you 12:32:50 release a peculiar order without conducting 12:32:53 an investigation or performing due diligence, 12:32:55 that peculiar order could potentially be 12:32:58 suspicious, could it not? 12:33:00  MR. O'CONNOR: Objection to 12:33:01 form. 12:33:02  THE WITNESS: It could. 12:33:04  Q. Okay. Okay. Now, if you turn 12:33:04 to the second page of this e-mail it's 12:33:32	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	usual an order that deviates from usual 12:34:53 order frequency; is that correct? 12:34:56  MR. O'CONNOR: Objection to 12:34:57 form. 12:34:58  THE WITNESS: Correct. 12:34:58 QUESTIONS BY MR. KO: 12:34:58 Q. And Ms. Stewart indicates that 12:34:59 she's not sure how to capture this as of the 12:35:00 date of this e-mail. 12:35:06 Do you see that? 12:35:07 A. I see that. 12:35:07 Q. And so is it fair to say that 12:35:08 you would you agree with this statement, 12:35:09 that at the time you weren't sure how to 12:35:11 capture this criteria in revising your SOM 12:35:12 policy? 12:35:15 A. We were working through the 12:35:18
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	diligence, that order could potentially be 12:32:26 suspicious, could it not? 12:32:28  MR. O'CONNOR: Objection to 12:32:30 form. 12:32:30  THE WITNESS: That's correct. 12:32:30  QUESTIONS BY MR. KO: 12:32:31  Q. Okay. And in particular, just 12:32:48 to make sure the record is clear, if you 12:32:50 release a peculiar order without conducting 12:32:53 an investigation or performing due diligence, 12:32:55 that peculiar order could potentially be 12:32:58 suspicious, could it not? 12:33:00  MR. O'CONNOR: Objection to 12:33:01 form. 12:33:02  THE WITNESS: It could. 12:33:02  QUESTIONS BY MR. KO: 12:33:04 to the second page of this e-mail it's 12:33:32 unfortunately just a one-page document. 12:33:41	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	usual an order that deviates from usual 12:34:53 order frequency; is that correct? 12:34:56  MR. O'CONNOR: Objection to 12:34:57 form. 12:34:58  THE WITNESS: Correct. 12:34:58 QUESTIONS BY MR. KO: 12:34:58 Q. And Ms. Stewart indicates that 12:34:59 she's not sure how to capture this as of the 12:35:00 date of this e-mail. 12:35:06 Do you see that? 12:35:07 A. I see that. 12:35:07 Q. And so is it fair to say that 12:35:08 you would you agree with this statement, 12:35:09 that at the time you weren't sure how to 12:35:11 capture this criteria in revising your SOM 12:35:12 policy? 12:35:15 A. We were working through the 12:35:18 approaches to the analysis, and we had not 12:35:25
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	diligence, that order could potentially be 12:32:26 suspicious, could it not? 12:32:28  MR. O'CONNOR: Objection to 12:32:30 form. 12:32:30  THE WITNESS: That's correct. 12:32:30  QUESTIONS BY MR. KO: 12:32:31  Q. Okay. And in particular, just 12:32:48 to make sure the record is clear, if you 12:32:50 release a peculiar order without conducting 12:32:53 an investigation or performing due diligence, 12:32:55 that peculiar order could potentially be 12:32:58 suspicious, could it not? 12:33:00  MR. O'CONNOR: Objection to 12:33:01 form. 12:33:02  THE WITNESS: It could. 12:33:04  Q. Okay. Okay. Now, if you turn 12:33:04 to the second page of this e-mail it's 12:33:41  A. Okay. Thank you. 12:33:42	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	usual an order that deviates from usual 12:34:53 order frequency; is that correct? 12:34:56  MR. O'CONNOR: Objection to 12:34:57 form. 12:34:58  THE WITNESS: Correct. 12:34:58 QUESTIONS BY MR. KO: 12:34:59 she's not sure how to capture this as of the 12:35:00 date of this e-mail. 12:35:06 Do you see that? 12:35:07 A. I see that. 12:35:07 Q. And so is it fair to say that 12:35:08 you would you agree with this statement, 12:35:10 capture this criteria in revising your SOM 12:35:12 policy? 12:35:15 A. We were working through the 12:35:18 approaches to the analysis, and we had not 12:35:25 settled on a specific one at this time. 12:35:28
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	diligence, that order could potentially be 12:32:26 suspicious, could it not? 12:32:28  MR. O'CONNOR: Objection to 12:32:30 form. 12:32:30  THE WITNESS: That's correct. 12:32:30  QUESTIONS BY MR. KO: 12:32:31  Q. Okay. And in particular, just 12:32:48 to make sure the record is clear, if you 12:32:50 release a peculiar order without conducting 12:32:53 an investigation or performing due diligence, 12:32:55 that peculiar order could potentially be 12:32:58 suspicious, could it not? 12:33:00  MR. O'CONNOR: Objection to 12:33:01 form. 12:33:02  THE WITNESS: It could. 12:33:02  QUESTIONS BY MR. KO: 12:33:04  Q. Okay. Okay. Now, if you turn 12:33:04 to the second page of this e-mail it's 12:33:32 unfortunately just a one-page document. 12:33:41  A. Okay. Thank you. 12:33:42  Q. And at the top, Ms. Stewart is 12:33:43	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	usual an order that deviates from usual 12:34:53 order frequency; is that correct? 12:34:56  MR. O'CONNOR: Objection to 12:34:57 form. 12:34:58  THE WITNESS: Correct. 12:34:58 QUESTIONS BY MR. KO: 12:34:59 she's not sure how to capture this as of the 12:35:00 date of this e-mail. 12:35:06 Do you see that? 12:35:07 A. I see that. 12:35:07 Q. And so is it fair to say that 12:35:08 you would you agree with this statement, 12:35:09 that at the time you weren't sure how to 12:35:11 capture this criteria in revising your SOM 12:35:12 policy? 12:35:15 A. We were working through the 12:35:18 approaches to the analysis, and we had not 12:35:25 settled on a specific one at this time. 12:35:30
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	Page 206		Page 208
1	algorithm was? 12:35:37	1	form. 12:37:48
2	A. It was comparing a customer's 12:35:38	2	THE WITNESS: So again I'm 12:37:48
3	order history to itself and flagging any 12:35:41	3	sorry we've always had a program, 12:37:49
4	order that exceeded a multiplier. 12:35:46	4	so we were hoping to enhance it and 12:37:51
5	Q. And at the time, do you recall 12:35:49	5	introduce everyone to the enhancements 12:37:53
6	what the multiplier was? 12:35:50	6	at that time. 12:37:55
7	A. I do not. 12:35:51	7	QUESTIONS BY MR. KO: 12:37:55
8	Q. Do you recall if it was a 2X 12:35:52	8	Q. Okay. And the enhanced 12:37:56
9	multiplier? 12:35:54	9	version, just so the record is clear, extra 12:37:58
10	A. I do not. 12:35:55	10	attention to the enhanced version was given 12:38:02
11	Q. Okay. In the next paragraph, 12:35:56	11	in early 2008, correct? 12:38:04
12	Ms. Stewart indicates that "the sales force 12:36:06	12	A. Yes. 12:38:05
13	will play a key role in this process by 12:36:07	13	Q. And it was your hope to roll 12:38:06
14	verifying the customer's physical site and 12:36:11	14	out an enhanced version as quickly as 12:38:08
15	operations ring true with the type of 12:36:14	15	possible; is that fair to say? 12:38:11
16	business they purport to run." 12:36:16	16	A. Yes. 12:38:12
17	Do you see that? 12:36:17	17	Q. And it's important to roll out 12:38:13
18	A. I do. 12:36:17	18	an enhanced SOM program because failure to do 12:38:15
19	Q. Do you agree that the sales 12:36:18	19	so would result in further diversion and 12:38:18
20	force would play this key role in trying to 12:36:20	20	abuse of potentially of Mallinckrodt 12:38:21
21	identify the customer's physical site and 12:36:22	21	opioids, correct? 12:38:24
22	operations? 12:36:27	22	MR. O'CONNOR: Objection to 12:38:24
23	A. That was a suggestion from Drug 12:36:27	23	form. 12:38:25
24	and Chemical Advisory Group that we did not 12:36:30	24	THE WITNESS: So we always had 12:38:25
25	implement. We used the sales force, but they 12:36:34	25	a backbone program in place, and we 12:38:26
	Dog 207		Page 200
	Page 207 did not play the key role in determining 12:36:35		Page 209
1 2	did not play the key role in determining 12:36:35 whether the customer was set up or not. 12:36:38	1 2	were enhancing the program. 12:38:29 QUESTIONS BY MR. KO: 12:38:30
3	Q. Okay. And to be clear, is the 12:36:40	3	Q. Did you feel that backbone SOM 12:38:32
4	sales force discussed here and as you just 12:36:41	4	program was sufficient in terms of complying 12:38:34
5	testified to, are you talking about NAMs and 12:36:46	5	with your duties under the CSA? 12:38:36
6	testified to, are you talking about IVAIVIS and 12.30.40	-	with your duties under the CSA: 12.36.36
"	CSRs or both? Or NAMs or CSRs or both? 12:36:48	6	Δ Ves 12:38:38
7	CSRs or both? Or NAMs or CSRs or both? 12:36:48  A NAMs 12:36:54	6	A. Yes. 12:38:38  O. Okay Well then why did you 12:38:39
7 8	A. NAMs. 12:36:54	7	Q. Okay. Well, then why did you 12:38:39
8	<ul><li>A. NAMs. 12:36:54</li><li>Q. Okay. So the sales force 12:36:55</li></ul>	7 8	Q. Okay. Well, then why did you 12:38:39 feel the need to enhance it? 12:38:41
8 9	A. NAMs. 12:36:54  Q. Okay. So the sales force 12:36:55  described in this e-mail is just with respect 12:36:56	7 8 9	Q. Okay. Well, then why did you 12:38:39 feel the need to enhance it? 12:38:41  A. Because as time went on, we got 12:38:42
8 9 10	A. NAMs. 12:36:54 Q. Okay. So the sales force 12:36:55 described in this e-mail is just with respect 12:36:56 to the national account managers, correct? 12:36:58	7 8 9 10	Q. Okay. Well, then why did you 12:38:39 feel the need to enhance it? 12:38:41  A. Because as time went on, we got 12:38:42 further guidance from DEA. Any piece of 12:38:44
8 9 10 11	A. NAMs. 12:36:54 Q. Okay. So the sales force 12:36:55 described in this e-mail is just with respect 12:36:56 to the national account managers, correct? 12:36:58 A. Yes. 12:37:00	7 8 9 10 11	Q. Okay. Well, then why did you 12:38:39  feel the need to enhance it? 12:38:41  A. Because as time went on, we got 12:38:42  further guidance from DEA. Any piece of 12:38:44  information that we gleaned, we acted upon it 12:38:47
8 9 10 11 12	A. NAMs. 12:36:54 Q. Okay. So the sales force 12:36:55 described in this e-mail is just with respect 12:36:56 to the national account managers, correct? 12:36:58 A. Yes. 12:37:00 Q. Okay. And you can set that 12:37:00	7 8 9 10 11 12	Q. Okay. Well, then why did you 12:38:39 feel the need to enhance it? 12:38:41  A. Because as time went on, we got 12:38:42 further guidance from DEA. Any piece of 12:38:44 information that we gleaned, we acted upon it 12:38:47 immediately. And we led the industry in 12:38:51
8 9 10 11 12 13	A. NAMs. 12:36:54 Q. Okay. So the sales force 12:36:55 described in this e-mail is just with respect 12:36:56 to the national account managers, correct? 12:36:58 A. Yes. 12:37:00 Q. Okay. And you can set that 12:37:00 aside. Thank you. 12:37:14	7 8 9 10 11 12 13	Q. Okay. Well, then why did you 12:38:39 feel the need to enhance it? 12:38:41  A. Because as time went on, we got 12:38:42 further guidance from DEA. Any piece of 12:38:44 information that we gleaned, we acted upon it 12:38:47 immediately. And we led the industry in 12:38:51 every aspect of enhancing our suspicious 12:38:53
8 9 10 11 12 13	A. NAMs. 12:36:54 Q. Okay. So the sales force 12:36:55 described in this e-mail is just with respect 12:36:56 to the national account managers, correct? 12:36:58 A. Yes. 12:37:00 Q. Okay. And you can set that 12:37:00 aside. Thank you. 12:37:14 Now, is it fair to say that in 12:37:21	7 8 9 10 11 12 13	Q. Okay. Well, then why did you 12:38:39  feel the need to enhance it? 12:38:41  A. Because as time went on, we got 12:38:42  further guidance from DEA. Any piece of 12:38:44  information that we gleaned, we acted upon it 12:38:47  immediately. And we led the industry in 12:38:51  every aspect of enhancing our suspicious 12:38:53  order monitoring program. 12:38:57
8 9 10 11 12 13 14	A. NAMs. 12:36:54 Q. Okay. So the sales force 12:36:55 described in this e-mail is just with respect 12:36:56 to the national account managers, correct? 12:36:58 A. Yes. 12:37:00 Q. Okay. And you can set that 12:37:00 aside. Thank you. 12:37:14 Now, is it fair to say that in 12:37:21 the early 2008 time period you were working 12:37:27	7 8 9 10 11 12 13 14 15	Q. Okay. Well, then why did you 12:38:39 feel the need to enhance it? 12:38:41  A. Because as time went on, we got 12:38:42 further guidance from DEA. Any piece of 12:38:44 information that we gleaned, we acted upon it 12:38:47 immediately. And we led the industry in 12:38:51 every aspect of enhancing our suspicious 12:38:53 order monitoring program. 12:38:57  Q. Okay. When you say you acted 12:38:57
8 9 10 11 12 13 14 15 16	A. NAMs. 12:36:54 Q. Okay. So the sales force 12:36:55 described in this e-mail is just with respect 12:36:56 to the national account managers, correct? 12:36:58 A. Yes. 12:37:00 Q. Okay. And you can set that 12:37:00 aside. Thank you. 12:37:14 Now, is it fair to say that in 12:37:21 the early 2008 time period you were working 12:37:27 on revising and revamping Mallinckrodt's SOM 12:37:28	7 8 9 10 11 12 13 14 15 16	Q. Okay. Well, then why did you 12:38:39 feel the need to enhance it? 12:38:41  A. Because as time went on, we got 12:38:42 further guidance from DEA. Any piece of 12:38:44 information that we gleaned, we acted upon it 12:38:47 immediately. And we led the industry in 12:38:51 every aspect of enhancing our suspicious 12:38:53 order monitoring program. 12:38:57  Q. Okay. When you say you acted 12:38:59
8 9 10 11 12 13 14 15 16 17	A. NAMs. 12:36:54 Q. Okay. So the sales force 12:36:55 described in this e-mail is just with respect 12:36:56 to the national account managers, correct? 12:36:58 A. Yes. 12:37:00 Q. Okay. And you can set that 12:37:00 aside. Thank you. 12:37:14 Now, is it fair to say that in 12:37:21 the early 2008 time period you were working 12:37:27 on revising and revamping Mallinckrodt's SOM 12:37:28 program? Is that accurate? 12:37:32	7 8 9 10 11 12 13 14 15 16	Q. Okay. Well, then why did you 12:38:39 feel the need to enhance it? 12:38:41  A. Because as time went on, we got 12:38:42 further guidance from DEA. Any piece of 12:38:44 information that we gleaned, we acted upon it 12:38:47 immediately. And we led the industry in 12:38:51 every aspect of enhancing our suspicious 12:38:53 order monitoring program. 12:38:57  Q. Okay. When you say you acted 12:38:57 on everything "immediately," what does that 12:38:59 mean? 12:39:03
8 9 10 11 12 13 14 15 16 17	A. NAMs. 12:36:54 Q. Okay. So the sales force 12:36:55 described in this e-mail is just with respect 12:36:56 to the national account managers, correct? 12:36:58 A. Yes. 12:37:00 Q. Okay. And you can set that 12:37:00 aside. Thank you. 12:37:14 Now, is it fair to say that in 12:37:21 the early 2008 time period you were working 12:37:27 on revising and revamping Mallinckrodt's SOM 12:37:28 program? Is that accurate? 12:37:32 A. Yes. 12:37:33	7 8 9 10 11 12 13 14 15 16 17	Q. Okay. Well, then why did you 12:38:39  feel the need to enhance it? 12:38:41  A. Because as time went on, we got 12:38:42  further guidance from DEA. Any piece of 12:38:44  information that we gleaned, we acted upon it 12:38:47  immediately. And we led the industry in 12:38:51  every aspect of enhancing our suspicious 12:38:53  order monitoring program. 12:38:57  Q. Okay. When you say you acted 12:38:57  on everything "immediately," what does that 12:38:59  mean? 12:39:03  Did you act on advice from the 12:39:05
8 9 10 11 12 13 14 15 16 17 18	A. NAMs. 12:36:54 Q. Okay. So the sales force 12:36:55 described in this e-mail is just with respect 12:36:56 to the national account managers, correct? 12:36:58 A. Yes. 12:37:00 Q. Okay. And you can set that 12:37:00 aside. Thank you. 12:37:14 Now, is it fair to say that in 12:37:21 the early 2008 time period you were working 12:37:27 on revising and revamping Mallinckrodt's SOM 12:37:28 program? Is that accurate? 12:37:32 A. Yes. 12:37:33 MR. O'CONNOR: Objection to 12:37:33	7 8 9 10 11 12 13 14 15 16 17 18	Q. Okay. Well, then why did you 12:38:39 feel the need to enhance it? 12:38:41  A. Because as time went on, we got 12:38:42 further guidance from DEA. Any piece of 12:38:44 information that we gleaned, we acted upon it 12:38:47 immediately. And we led the industry in 12:38:51 every aspect of enhancing our suspicious 12:38:53 order monitoring program. 12:38:57  Q. Okay. When you say you acted 12:38:57 on everything "immediately," what does that 12:38:59 mean? 12:39:03  Did you act on advice from the 12:39:05 DEA as soon as you heard it? Is that what 12:39:07
8 9 10 11 12 13 14 15 16 17 18 19 20	A. NAMs. 12:36:54 Q. Okay. So the sales force 12:36:55 described in this e-mail is just with respect 12:36:56 to the national account managers, correct? 12:36:58 A. Yes. 12:37:00 Q. Okay. And you can set that 12:37:00 aside. Thank you. 12:37:14 Now, is it fair to say that in 12:37:21 the early 2008 time period you were working 12:37:27 on revising and revamping Mallinckrodt's SOM 12:37:28 program? Is that accurate? 12:37:32 A. Yes. 12:37:33 MR. O'CONNOR: Objection to 12:37:33 form. 12:37:34	7 8 9 10 11 12 13 14 15 16 17 18 19	Q. Okay. Well, then why did you 12:38:39  feel the need to enhance it? 12:38:41  A. Because as time went on, we got 12:38:42  further guidance from DEA. Any piece of 12:38:44  information that we gleaned, we acted upon it 12:38:47  immediately. And we led the industry in 12:38:51  every aspect of enhancing our suspicious 12:38:53  order monitoring program. 12:38:57  Q. Okay. When you say you acted 12:38:57  on everything "immediately," what does that 12:38:59  mean? 12:39:03  Did you act on advice from the 12:39:05  DEA as soon as you heard it? Is that what 12:39:07  your testimony is today? 12:39:12
8 9 10 11 12 13 14 15 16 17 18	A. NAMs. 12:36:54 Q. Okay. So the sales force 12:36:55 described in this e-mail is just with respect 12:36:56 to the national account managers, correct? 12:36:58 A. Yes. 12:37:00 Q. Okay. And you can set that 12:37:00 aside. Thank you. 12:37:14 Now, is it fair to say that in 12:37:21 the early 2008 time period you were working 12:37:27 on revising and revamping Mallinckrodt's SOM 12:37:28 program? Is that accurate? 12:37:32 A. Yes. 12:37:33 MR. O'CONNOR: Objection to 12:37:33 form. 12:37:34 QUESTIONS BY MR. KO: 12:37:34	7 8 9 10 11 12 13 14 15 16 17 18	Q. Okay. Well, then why did you 12:38:39  feel the need to enhance it? 12:38:41  A. Because as time went on, we got 12:38:42  further guidance from DEA. Any piece of 12:38:44  information that we gleaned, we acted upon it 12:38:51  every aspect of enhancing our suspicious 12:38:53  order monitoring program. 12:38:57  Q. Okay. When you say you acted 12:38:57  on everything "immediately," what does that 12:38:59  mean? 12:39:03  Did you act on advice from the 12:39:05  DEA as soon as you heard it? Is that what 12:39:07  your testimony is today? 12:39:12  A. So immediately that was a 12:39:12
8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. NAMs. 12:36:54 Q. Okay. So the sales force 12:36:55 described in this e-mail is just with respect 12:36:56 to the national account managers, correct? 12:36:58 A. Yes. 12:37:00 Q. Okay. And you can set that 12:37:00 aside. Thank you. 12:37:14 Now, is it fair to say that in 12:37:21 the early 2008 time period you were working 12:37:27 on revising and revamping Mallinckrodt's SOM 12:37:28 program? Is that accurate? 12:37:32 A. Yes. 12:37:33 MR. O'CONNOR: Objection to 12:37:33 form. 12:37:34 QUESTIONS BY MR. KO: 12:37:34 Q. And you had hoped to roll out a 12:37:35	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Okay. Well, then why did you 12:38:39 feel the need to enhance it? 12:38:41  A. Because as time went on, we got 12:38:42 further guidance from DEA. Any piece of 12:38:44 information that we gleaned, we acted upon it 12:38:47 immediately. And we led the industry in 12:38:51 every aspect of enhancing our suspicious 12:38:53 order monitoring program. 12:38:57  Q. Okay. When you say you acted 12:38:57 on everything "immediately," what does that 12:38:59 mean? 12:39:03  Did you act on advice from the 12:39:05 DEA as soon as you heard it? Is that what 12:39:07 your testimony is today? 12:39:12  A. So immediately that was a 12:39:16
8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. NAMs. 12:36:54 Q. Okay. So the sales force 12:36:55 described in this e-mail is just with respect 12:36:56 to the national account managers, correct? 12:36:58 A. Yes. 12:37:00 Q. Okay. And you can set that 12:37:00 aside. Thank you. 12:37:14 Now, is it fair to say that in 12:37:21 the early 2008 time period you were working 12:37:27 on revising and revamping Mallinckrodt's SOM 12:37:28 program? Is that accurate? 12:37:32 A. Yes. 12:37:33 MR. O'CONNOR: Objection to 12:37:33 form. 12:37:34 QUESTIONS BY MR. KO: 12:37:34 Q. And you had hoped to roll out a 12:37:40	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Okay. Well, then why did you 12:38:39 feel the need to enhance it? 12:38:41  A. Because as time went on, we got 12:38:42 further guidance from DEA. Any piece of 12:38:44 information that we gleaned, we acted upon it 12:38:47 immediately. And we led the industry in 12:38:51 every aspect of enhancing our suspicious 12:38:53 order monitoring program. 12:38:57  Q. Okay. When you say you acted 12:38:57 on everything "immediately," what does that 12:38:59 mean? 12:39:03  Did you act on advice from the 12:39:05 DEA as soon as you heard it? Is that what 12:39:07 your testimony is today? 12:39:12  A. So immediately that was a 12:39:16 yes. 12:39:18
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. NAMs. 12:36:54 Q. Okay. So the sales force 12:36:55 described in this e-mail is just with respect 12:36:56 to the national account managers, correct? 12:36:58 A. Yes. 12:37:00 Q. Okay. And you can set that 12:37:00 aside. Thank you. 12:37:14 Now, is it fair to say that in 12:37:21 the early 2008 time period you were working 12:37:27 on revising and revamping Mallinckrodt's SOM 12:37:28 program? Is that accurate? 12:37:32 A. Yes. 12:37:33 MR. O'CONNOR: Objection to 12:37:33 form. 12:37:34 QUESTIONS BY MR. KO: 12:37:34 Q. And you had hoped to roll out a 12:37:35 formal SOM program at some as quickly as 12:37:40	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Okay. Well, then why did you 12:38:39 feel the need to enhance it? 12:38:41  A. Because as time went on, we got 12:38:42 further guidance from DEA. Any piece of 12:38:44 information that we gleaned, we acted upon it 12:38:47 immediately. And we led the industry in 12:38:51 every aspect of enhancing our suspicious 12:38:53 order monitoring program. 12:38:57  Q. Okay. When you say you acted 12:38:57 on everything "immediately," what does that 12:38:59 mean? 12:39:03  Did you act on advice from the 12:39:05 DEA as soon as you heard it? Is that what 12:39:07 your testimony is today? 12:39:12  A. So immediately that was a 12:39:16

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	Page 210		Page 212
1	MR. O'CONNOR: Objection to 12:39:21	1	of this meeting in the first sentence 12:41:25
2	form. 12:39:22	2	underneath agenda, it states that "The 12:41:27
3	THE WITNESS: Depending upon 12:39:22	3	purpose of the meeting" and these calls 12:41:33
4	varying amounts of time, depending how 12:39:24	4	"was to share information between sites and 12:41:37
5	long it would have taken to implement 12:39:27	5	to help each other gain a broader knowledge 12:41:39
6	the suggestion from DEA. 12:39:28	6	of the supply chain process." 12:41:41
7	QUESTIONS BY MR. KO: 12:39:29	7	Did I read that correctly? 12:41:43
8	Q. Okay. Was it your goal at the 12:39:30	8	A. Yes. 12:41:44
9	time that you were trying to enhance your SOM 12:39:32	9	Q. And so there were frequent 12:41:44
10	program in early 2008 to make revisions and 12:39:35	10	calls at the time to try and better 12:41:45
11	roll out a formal enhanced policy as quickly 12:39:38	11	understand and gain knowledge of the supply 12:41:47
12	as possible? 12:39:40	12	chain process? 12:41:51
13	A. Yes. 12:39:42	13	A. Yes. 12:41:51
14	Q. Okay. And when would you say 12:39:43	14	Q. Okay. And I just actually want 12:41:51
15	you actually rolled out a formal SOM policy 12:39:46	15	to turn to your portion of the 12:41:55
16	that satisfied you, as someone who was in 12:39:49	16	presentation or the notes that capture 12:41:59
17	charge of overseeing the SOM program? 12:39:53	17	your presentation, which is at the bottom of 12:42:00
18	MR. O'CONNOR: Objection to 12:39:54	18	page 2. 12:42:05
19	form. 12:39:56	19	Do you see where it says, 12:42:07
20	THE WITNESS: So the existing 12:39:56	20	"Karen gave a brief update on Covidien's 12:42:08
21	policy always satisfied me, but we 12:39:58	21	efforts"? 12:42:11
22	continued to work on enhancing our 12:40:00	22	A. I do see that. 12:42:12
23	policies. 12:40:02	23	Q. And by the way, Covidien is 12:42:12
24	QUESTIONS BY MR. KO: 12:40:02	24	was your was the actual was the former 12:42:15
25	Q. Okay. And with respect to 12:40:03	25	employer was your former employer? 12:42:19
	Page 211		Page 213
	_		_
1	enhancing it in particular as we discussed in 12:40:07	1	A. Right. Our company has changed 12:42:22
2	enhancing it in particular as we discussed in 12:40:07 early 2008, when would you say that process 12:40:10	2	A. Right. Our company has changed 12:42:22 corporate structure and ownership, yes. 12:42:25
2 3	enhancing it in particular as we discussed in 12:40:07 early 2008, when would you say that process 12:40:10 was actually complete? 12:40:13	2	A. Right. Our company has changed 12:42:22 corporate structure and ownership, yes. 12:42:25 Q. Thank you. 12:42:26
2 3 4	enhancing it in particular as we discussed in 12:40:07 early 2008, when would you say that process 12:40:10 was actually complete? 12:40:13 A. I can't answer that because 12:40:14	2 3 4	A. Right. Our company has changed 12:42:22 corporate structure and ownership, yes. 12:42:25  Q. Thank you. 12:42:26  A. Yes. 12:42:26
2 3	enhancing it in particular as we discussed in 12:40:07 early 2008, when would you say that process 12:40:10 was actually complete? 12:40:13 A. I can't answer that because 12:40:14 enhancements are always ongoing. They're 12:40:18	2 3 4 5	A. Right. Our company has changed 12:42:22 corporate structure and ownership, yes. 12:42:25  Q. Thank you. 12:42:26  A. Yes. 12:42:26  Q. You put it more artfully than 12:42:27
2 3 4 5 6	enhancing it in particular as we discussed in early 2008, when would you say that process 12:40:10 was actually complete? 12:40:13  A. I can't answer that because 12:40:14 enhancements are always ongoing. They're 12:40:18 ongoing up to today. So there's no start and 12:40:21	2 3 4 5 6	A. Right. Our company has changed 12:42:22 corporate structure and ownership, yes. 12:42:25  Q. Thank you. 12:42:26  A. Yes. 12:42:26  Q. You put it more artfully than 12:42:27 me. 12:42:28
2 3 4 5 6 7	enhancing it in particular as we discussed in 12:40:07 early 2008, when would you say that process 12:40:10 was actually complete? 12:40:13 A. I can't answer that because 12:40:14 enhancements are always ongoing. They're 12:40:18 ongoing up to today. So there's no start and 12:40:21 stop time to the enhancements. 12:40:24	2 3 4 5 6 7	A. Right. Our company has changed 12:42:22 corporate structure and ownership, yes. 12:42:25  Q. Thank you. 12:42:26  A. Yes. 12:42:26  Q. You put it more artfully than 12:42:27  me. 12:42:28  Covidien, at the time of 12:42:28
2 3 4 5 6 7 8	enhancing it in particular as we discussed in 12:40:07 early 2008, when would you say that process 12:40:10 was actually complete? 12:40:13 A. I can't answer that because 12:40:14 enhancements are always ongoing. They're 12:40:18 ongoing up to today. So there's no start and 12:40:21 stop time to the enhancements. 12:40:24 (Mallinckrodt-Harper Exhibit 6 12:40:27	2 3 4 5 6 7 8	A. Right. Our company has changed 12:42:22 corporate structure and ownership, yes. 12:42:25  Q. Thank you. 12:42:26  A. Yes. 12:42:26  Q. You put it more artfully than 12:42:27  me. 12:42:28  Covidien, at the time of 12:42:28  2000 2008, Mallinckrodt was essentially 12:42:33
2 3 4 5 6 7 8	enhancing it in particular as we discussed in 12:40:07 early 2008, when would you say that process 12:40:10 was actually complete? 12:40:13 A. I can't answer that because 12:40:14 enhancements are always ongoing. They're 12:40:18 ongoing up to today. So there's no start and 12:40:21 stop time to the enhancements. 12:40:24 (Mallinckrodt-Harper Exhibit 6 12:40:27 marked for identification.) 12:40:27	2 3 4 5 6 7 8	A. Right. Our company has changed 12:42:22 corporate structure and ownership, yes. 12:42:25  Q. Thank you. 12:42:26  A. Yes. 12:42:26  Q. You put it more artfully than 12:42:27  me. 12:42:28  Covidien, at the time of 12:42:28  2000 2008, Mallinckrodt was essentially 12:42:33  Covidien. And so for purposes of this 12:42:35
2 3 4 5 6 7 8 9	enhancing it in particular as we discussed in early 2008, when would you say that process 12:40:10 was actually complete? 12:40:13  A. I can't answer that because 12:40:14 enhancements are always ongoing. They're 12:40:18 ongoing up to today. So there's no start and 12:40:21 stop time to the enhancements. 12:40:24 (Mallinckrodt-Harper Exhibit 6 12:40:27 marked for identification.) 12:40:27  QUESTIONS BY MR. KO: 12:40:27	2 3 4 5 6 7 8 9	A. Right. Our company has changed 12:42:22 corporate structure and ownership, yes. 12:42:25  Q. Thank you. 12:42:26  A. Yes. 12:42:26  Q. You put it more artfully than 12:42:27 me. 12:42:28  Covidien, at the time of 12:42:28  2000 2008, Mallinckrodt was essentially 12:42:33  Covidien. And so for purposes of this 12:42:35 deposition, when I refer to Covidien, it's 12:42:37
2 3 4 5 6 7 8 9 10	enhancing it in particular as we discussed in 12:40:07 early 2008, when would you say that process 12:40:10 was actually complete? 12:40:13 A. I can't answer that because 12:40:14 enhancements are always ongoing. They're 12:40:18 ongoing up to today. So there's no start and 12:40:21 stop time to the enhancements. 12:40:24 (Mallinckrodt-Harper Exhibit 6 12:40:27 marked for identification.) 12:40:27 QUESTIONS BY MR. KO: 12:40:27 Q. Fair enough. 12:40:28	2 3 4 5 6 7 8 9 10	A. Right. Our company has changed 12:42:22 corporate structure and ownership, yes. 12:42:25  Q. Thank you. 12:42:26  A. Yes. 12:42:26  Q. You put it more artfully than 12:42:27 me. 12:42:28  Covidien, at the time of 12:42:28  2000 2008, Mallinckrodt was essentially 12:42:33  Covidien. And so for purposes of this 12:42:35 deposition, when I refer to Covidien, it's 12:42:37 synonymous with Mallinckrodt; is that fair? 12:42:40
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	<u> </u>		
	Page 214		Page 216
1	reads, but I don't know that I published 12:43:24	1	program? 12:45:04
2	these notes or if Ms. Woznick was 12:43:26	2	A. I believe so, yes. 12:45:04
3	interpreting the discussion and documenting 12:43:32	3	Q. Okay. And then at other 12:45:07
4	it 12:43:33	4	times I believe the name you referenced 12:45:14
5	Q. Fair enough. 12:43:35	5	before was Todd? 12:45:15
6	A as she saw fit. 12:43:35	6	I'm sorry, who 12:45:17
7	Q. Fair enough. 12:43:37	7	MR. O'CONNOR: Objection to 12:45:18
8	Would you agree with me that 12:43:37	8	form. 12:45:18
9	one of the reasons why you were seeking to 12:43:38	9	QUESTIONS BY MR. KO: 12:45:18
10	improve Mallinckrodt's SOM system was in 12:43:41	10	Q. Who did you report to after 12:45:19
11	light of recent DEA actions at the time? 12:43:45	11	JoAnne Levy? 12:45:21
12	A. Yes. 12:43:48	12	A. Tom Berry. 12:45:21
13	Q. Okay. And the persons 12:43:51	13	Q. Tom Berry. Thank you. 12:45:22
14	responsible on the bottom right-hand corner 12:43:56	14	A. Yeah. 12:45:24
15	are listed as you and Eileen Spaulding. 12:44:03	15	Q. So Mr. Berry, would you agree 12:45:24
16	Do you see that? 12:44:06	16	that after once you began reporting to 12:45:26
17	A. I do. 12:44:06	17	Mr. Berry, would you say that Mr. Berry was 12:45:31
18	Q. And so is it fair to say that 12:44:07	18	the team leader for the SOM team? 12:45:34
19	based on this document, you and Eileen are 12:44:07	19	A. No. 12:45:36
20	the people responsible for implementing an 12:44:11	20	Q. Okay. At the time that you 12:45:36
21	improved SOM program at Mallinckrodt at this 12:44:15	21	reported to Mr. Berry, would you say that you 12:45:37
22	time? 12:44:17	22	were the team leader of the SOM team? 12:45:39
23	MR. O'CONNOR: Objection. 12:44:17	23	A. So I'm sorry to repeat, but 12:45:41
24	Form. 12:44:18	24	there was no designated leader except in the 12:45:47
25	THE WITNESS: So not in 12:44:19	25	case of JoAnne Levy, who was the senior 12:45:49
	Page 215		Page 217
1	isolation. We were members of the 12:44:20	1	official. Tom Berry was not as actively 12:45:52
2	team, and we were the representatives 12:44:21	2	involved in the team because he was new to 12:45:55
3	of the DEA compliance group on the 12:44:22	3	the controlled substances business, and so I 12:45:58
4	team, but there were others on the 12:44:25	4	would not state anyone's name specifically 12:46:01
5	team. 12:44:26	5	during this time period as the leader. 12:46:03
6	QUESTIONS BY MR. KO: 12:44:26	6	Q. Separate and apart of whether 12:46:04
7	Q. Okay. But you guys were is 12:44:26	7	or not there was an official designation, did 12:46:11
8	it fair to say that you were the team leaders 12:44:30	8	you consider yourself, along with Eileen 12:46:13
9	of the SOM team, or do you disclaim that 12:44:31	9	Spaulding, to the team leader of implementing 12:46:18
	•	10	an improved SOM program during the 2008 time 12:46:20
10	responsibility? 12:44:34		an improved Both program during the 2000 time 12.10.20
10 11	A. I 12:44:34	11	period? 12:46:23
		11 12	
11	A. I 12:44:34		period? 12:46:23
11 12	A. I 12:44:34 MR. O'CONNOR: Objection to 12:44:34	12	period? 12:46:23 A. Yes. I would consider it 12:46:23
11 12 13	A. I 12:44:34 MR. O'CONNOR: Objection to 12:44:34 form. 12:44:35	12 13	period? 12:46:23  A. Yes. I would consider it 12:46:23 controlled substances compliance 12:46:25
11 12 13 14	A. I 12:44:34  MR. O'CONNOR: Objection to 12:44:34  form. 12:44:35  THE WITNESS: The leader of the 12:44:35	12 13 14	period? 12:46:23  A. Yes. I would consider it 12:46:23 controlled substances compliance 12:46:25 responsibility, and I was the leader of that 12:46:26
11 12 13 14 15	A. I 12:44:34  MR. O'CONNOR: Objection to 12:44:34  form. 12:44:35  THE WITNESS: The leader of the 12:44:35  team was always the most senior 12:44:43  official, so in one case it was JoAnne 12:44:44	12 13 14 15	period? 12:46:23  A. Yes. I would consider it 12:46:23 controlled substances compliance 12:46:25 responsibility, and I was the leader of that 12:46:26 group at that time, yes. 12:46:28
11 12 13 14 15	A. I 12:44:34  MR. O'CONNOR: Objection to 12:44:34  form. 12:44:35  THE WITNESS: The leader of the 12:44:35  team was always the most senior 12:44:43  official, so in one case it was JoAnne 12:44:44  Levy. So I was a key contributor to 12:44:47	12 13 14 15 16	period? 12:46:23  A. Yes. I would consider it 12:46:23 controlled substances compliance 12:46:25 responsibility, and I was the leader of that 12:46:26 group at that time, yes. 12:46:28  Q. Okay. You thank. 12:46:29 And this document indicates a 12:46:31
11 12 13 14 15 16	A. I 12:44:34  MR. O'CONNOR: Objection to 12:44:34  form. 12:44:35  THE WITNESS: The leader of the 12:44:35  team was always the most senior 12:44:43  official, so in one case it was JoAnne 12:44:44  Levy. So I was a key contributor to 12:44:47  the team, as was Eileen, but I don't 12:44:50	12 13 14 15 16 17	period? 12:46:23  A. Yes. I would consider it 12:46:23 controlled substances compliance 12:46:25 responsibility, and I was the leader of that 12:46:26 group at that time, yes. 12:46:28  Q. Okay. You thank. 12:46:29 And this document indicates a 12:46:31
11 12 13 14 15 16 17	A. I 12:44:34  MR. O'CONNOR: Objection to 12:44:34  form. 12:44:35  THE WITNESS: The leader of the 12:44:35  team was always the most senior 12:44:43  official, so in one case it was JoAnne 12:44:44  Levy. So I was a key contributor to 12:44:47  the team, as was Eileen, but I don't 12:44:50  know that I was ever designated as the 12:44:52	12 13 14 15 16 17 18	period? 12:46:23  A. Yes. I would consider it 12:46:23 controlled substances compliance 12:46:25 responsibility, and I was the leader of that 12:46:26 group at that time, yes. 12:46:28  Q. Okay. You thank. 12:46:29 And this document indicates a 12:46:31 deadline. Do you see that? 12:46:37
11 12 13 14 15 16 17 18 19	A. I 12:44:34  MR. O'CONNOR: Objection to 12:44:34  form. 12:44:35  THE WITNESS: The leader of the 12:44:35  team was always the most senior 12:44:43  official, so in one case it was JoAnne 12:44:44  Levy. So I was a key contributor to 12:44:47  the team, as was Eileen, but I don't 12:44:50  know that I was ever designated as the 12:44:52  team leader. 12:44:53	12 13 14 15 16 17 18 19 20	period? 12:46:23  A. Yes. I would consider it 12:46:23 controlled substances compliance 12:46:25 responsibility, and I was the leader of that 12:46:26 group at that time, yes. 12:46:28  Q. Okay. You thank. 12:46:29 And this document indicates a 12:46:31 deadline. Do you see that? 12:46:37 Q. And the deadline, according to 12:46:43
11 12 13 14 15 16 17 18 19 20 21	A. I 12:44:34  MR. O'CONNOR: Objection to 12:44:34  form. 12:44:35  THE WITNESS: The leader of the 12:44:35  team was always the most senior 12:44:43  official, so in one case it was JoAnne 12:44:44  Levy. So I was a key contributor to 12:44:47  the team, as was Eileen, but I don't 12:44:50  know that I was ever designated as the 12:44:52  team leader. 12:44:53  QUESTIONS BY MR. KO: 12:44:54	12 13 14 15 16 17 18 19 20 21	period?  A. Yes. I would consider it 12:46:23  controlled substances compliance 12:46:25  responsibility, and I was the leader of that 12:46:26  group at that time, yes. 12:46:28  Q. Okay. You thank. 12:46:29  And this document indicates a 12:46:31  deadline. Do you see that? 12:46:37  Q. And the deadline, according to 12:46:43  this document, is fourth quarter 2008 fiscal 12:46:46
11 12 13 14 15 16 17 18 19 20 21 22	A. I 12:44:34  MR. O'CONNOR: Objection to 12:44:34  form. 12:44:35  THE WITNESS: The leader of the 12:44:35  team was always the most senior 12:44:43  official, so in one case it was JoAnne 12:44:44  Levy. So I was a key contributor to 12:44:47  the team, as was Eileen, but I don't 12:44:50  know that I was ever designated as the 12:44:52  team leader. 12:44:53  QUESTIONS BY MR. KO: 12:44:54  Q. Okay. So is it your testimony 12:44:54	12 13 14 15 16 17 18 19 20 21 22	period? 12:46:23  A. Yes. I would consider it 12:46:23 controlled substances compliance 12:46:25 responsibility, and I was the leader of that 12:46:26 group at that time, yes. 12:46:28  Q. Okay. You thank. 12:46:29 And this document indicates a 12:46:31 deadline. Do you see that? 12:46:37  Q. And the deadline, according to 12:46:43 this document, is fourth quarter 2008 fiscal 12:46:46 year? 12:46:50
11 12 13 14 15 16 17 18 19 20 21	A. I 12:44:34  MR. O'CONNOR: Objection to 12:44:34  form. 12:44:35  THE WITNESS: The leader of the 12:44:35  team was always the most senior 12:44:43  official, so in one case it was JoAnne 12:44:44  Levy. So I was a key contributor to 12:44:47  the team, as was Eileen, but I don't 12:44:50  know that I was ever designated as the 12:44:52  team leader. 12:44:53  QUESTIONS BY MR. KO: 12:44:54	12 13 14 15 16 17 18 19 20 21	period?  A. Yes. I would consider it 12:46:23  controlled substances compliance 12:46:25  responsibility, and I was the leader of that 12:46:26  group at that time, yes. 12:46:28  Q. Okay. You thank. 12:46:29  And this document indicates a 12:46:31  deadline. Do you see that? 12:46:37  Q. And the deadline, according to 12:46:43  this document, is fourth quarter 2008 fiscal 12:46:46

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2   October September. Okay.   12:46:57   3   Q. September. Okay.   12:46:58   4   So it was at least as of the   12:47:19   5   date of this call and the notes that were   12:47:10   7   improved SOM program would be complete no   12:47:10   7   improved SOM program would be complete no   12:47:19   10   form.   12:47:19   11   VIDEOGRAPHER: We are going off   12:49:02   VIDEOGRAPHER: We are spoing off   12:49:02   VIDEOGRAPHER: We are spoing off   12:49:02   VIDEOGRAPHER: We are beach on   13:37:59   marked for identification.)   13:36:59   VIDEOGRAPHER: We are beach on   13:37:02   VIDEOGRAPHER: We are beach on   13:37:02   VIDEOGRAPHER: We are beach on   13:37:05   VIDEOGRAPHER: We are beach from lunch.   13:37:05   VIDEOGRAPHER: We are beach from lunch.   13:37:05		Page 218		Page 220
3 Q. September. Okay.   12-46-58   4   So it was at least as of the 12-47-02   5   date of this call that on toes that were   12-47-105   6   drafeed pursuant to this call that an   12-47-105   6   drafeed pursuant to this call that an   12-47-105   6   microard pursuant to this call that an   12-47-105   8   Inflink we can break for lunch.   12-49-02   VIDEOGRAPHER: We are going off   12-49-02   VIDEOGRAPHER: We are back on   13-36-59   VIDEOGRAPHER: We are back on   13-37-05   VIDEOGRAPHER: We are back on   13-37-0				•
1				* *
5   date of this call and the notes that were   12:47:05   6   drafted pursumit to this call that am   12:47:10   12:47:10   12:49:02   12:49:02   12:49:03   12:49:03   12:49:03   12:49:03   12:49:03   12:49:03   12:49:04   12:49	3			•
6   draffed pursuant to this call that am   12:47:10   7   improved SOM program would be complete no   12:47:15   8   later than October of 20088?   12:47:18   9   MR. OCONNOR: Objection to   12:47:19   10   Corm.   12:47:19   11   THE WITNESS: No, sir.   12:47:19   12   USESTIONS BY MR. KO:   12:47:20   12   the record at 12:49 p.m.   13:36:59   marked for identification.)   13:36:59   marked for identification.   13:37:50   12   WIDEOGRAPHER: We are back on   13:36:59   13:36:59   13:36:59   12:47:20   12   the record at 12:49 p.m.   13:37:50   13:37:50   12:47:21   13   Q. Is that accurate or is that -   12:47:22   15   Q. That's incorrect:   12:47:22   15   Q. That's incorrect:   12:47:22   15   Ms. Harper.   13:37:06   A. That's incorrect:   12:47:25   17   Q. Okay. So what is this deadline   12:47:26   19   A. The update that would be   12:47:26   19   Provided on the next team call.   12:47:27   12   you complete the SOM revisions by 12:47:31   20   what's been marked as Harper Exhibit 7.   13:37:10   13:37:12   20   what's been marked for identification.)   13:37:06   A. That's incorrect:   12:47:25   15   Ms. Harper.   13:37:07   13:37:0	4		4	
7	5		5	•
8   later than October of 2008?   12:47:18   9   MR. O'CONNOR: Objection to   12:47:19   9   (Mallinctrodt-Harper Exhibit 7   13:37:59   13:36:59   12   (Mallinctrodt-Harper Exhibit 7   13:37:59   13:37:59   12   (Mallinctrodt-Harper Exhibit 7   13:37:59   12   (Mallinctrodt-Harper Exhibit 7   13:37:59   13:37:50   13:37:50   13:37:50   13:37:50   13:37:00   13:37:00   13:37:00   13:37:00   13:37:00   13:37:00   13:37:00   13:37:00   13:37:00   13:37:00   13:37:00   13:37:00   13:37:10   13:37	6	drafted pursuant to this call that an 12:47:10	6	VIDEOGRAPHER: We are going off 12:49:02
MR. OCONNOR: Objection to	7	improved SOM program would be complete no 12:47:15	7	the record at 12:49 p.m. 12:49:03
10   THE WITNESS: No. sir.   12:47:19   12   QUESTIONS BY MR. KO:   12:47:21   13   QUESTIONS BY MR. KO:   12:47:21   14   A. No.   12:47:21   15   Q. That's incorrect:   12:47:22   15   A. That's incorrect:   12:47:22   16   A. That's incorrect:   12:47:23   17   Q. Okay. So what is this deadline   12:47:24   17   Q. Okay. So what is this deadline   12:47:25   18   stay. We've got a few more hours to go.   13:37:07   18   stay. We've got a few more hours to go.   13:37:07   19   A. The update that would be   12:47:27   19   Volume of the next team call.   12:47:27   19   Volume of the next team call.   12:47:35   12   Volume of the next team call.   12:47:35   12   Volume of the next team call.   12:47:36   12   Volume of the next team of the next team call.   12:47:36   12   Volume of the next team of the next t	8	later than October of 2008? 12:47:18	8	(Off the record at 12:49 p.m.) 12:49:04
THE WITNESS: No, sir.   12:47:29   12   WIDEOGRAPHER: We are back on   13:36:59   13   QUESTIONS BY MR. KO:   12:47:21   13   QUESTIONS BY MR. KO:   13:37:02   14   A. No.   12:47:21   15   A. That's incorrect.   12:47:22   15   Ms. Harper.   13:37:06   13:37:07   17   Q. Okay. So what is this deadline   12:47:24   17   Q. Tappreciate your patience to   13:37:07   18   referring to?   12:47:25   18   referring to?   12:47:25   18   referring to?   12:47:25   19   A. The update that would be   12:47:27   19   Porovided on the next team call.   12:47:27   19   Q. Okay. So it wasn't necessarily   12:47:29   19   vour goal to complete the SOM revisions by   12:47:35   19   A. No.   12:47:36   19   Vou have a firm goal at any point in time   12:47:41   19   vou have a firm goal at any point in time   12:47:44   19   vou have a firm goal at any point in time   12:47:46   19   Vou have a firm goal at any point in time   12:47:48   19   A. No.   12:47:36   19   A. No.   12:48:10   19   A. No.   12:48:10   19   A. Yes.   13:37:27   Page 219   19   vou have a firm goal at any point in time   12:47:48   19   vour than trying to effectuate an improved   12:47:48   19   vour than trying to effectuate an improved   12:47:48   19   vour than trying to effectuate an improved   12:47:48   19   vour than trying to effectuate an improved   12:47:48   19   vour than trying to effectuate an improved   12:48:10   19   vour than trying to effectuate an improved   12:48:10   19   vour than trying to effectuate an improved   12:47:48   10   vour than trying to effectuate an improved   12:47:48   10   vour the material trying to effectuate an improved   12:47:48   10   vour than trying to effectuate an improved   12:47:48   10   vour than trying to effectuate an improved   12:48:10   10   vour than trying to effectuate an improved   12:47:48   10   vour than trying to effectuate an improved   12:47:48   10   vour than trying to effectuate an improved   12:48:10   10   vour than trying to effectuate an improved   12:48:10   10   vour t	9	MR. O'CONNOR: Objection to 12:47:19	9	(Mallinckrodt-Harper Exhibit 7 13:37:59
12   QUESTIONS BY MR. KO:   12:47:20   12   the record at 1:37 p.m.   13:37:02   13:37:02   14   A. No.   12:47:21   15   Q. Welcome back from lunch.   13:37:03   15   Q. That's incorrect.   12:47:23   16   A. That's incorrect.   12:47:23   16   A. That's incorrect.   12:47:25   17   Q. Okay. So what is this deadline   12:47:25   18   stay. We've got a few more hours to go.   13:37:07   18   referring to?   12:47:25   18   stay. We've got a few more hours to go.   13:37:09   19   A. The update that would be   12:47:26   19   Eve handed you a copy of   13:37:16   21   Q. Okay. So it wasn't necessarily   12:47:27   22   what's been marked as Harper Exhibit 7.   13:37:16   22   your goal to complete the SOM revisions by   12:47:31   22   dorumtent of 2008?   12:47:35   23   And this is a July 29, 2008,   13:37:27   24   A. No.   12:47:36   25   Q. Okay. Did you have a did   12:47:36   25   Q. Okay. Did you have a did   12:47:41   20   ther first page, there are a list of   12:47:46   3   A. No.   12:48:10   10   A. No.   12:48:23   10   A. No.   12:4	10	form. 12:47:19	10	marked for identification.) 13:36:59
13	11	THE WITNESS: No, sir. 12:47:19	11	VIDEOGRAPHER: We are back on 13:36:59
14	12	QUESTIONS BY MR. KO: 12:47:20	12	the record at 1:37 p.m. 13:37:01
15	13	Q. Is that accurate or is that 12:47:21	13	QUESTIONS BY MR. KO: 13:37:02
16	14	A. No. 12:47:21	14	Q. Welcome back from lunch, 13:37:03
16	15	Q. That's incorrect? 12:47:22	15	Ms. Harper. 13:37:06
18   referring to?   12:47:25   18   stay. We've got a few more hours to go.   13:37:09     19   A. The update that would be   12:47:26   19   Tve handed you a copy of   13:37:12     20   provided on the next team call.   12:47:27   20   what's been marked as Harper Exhibit 7.   13:37:16     21   Q. Okay. So it wasn't necessarily   12:47:29   21   And for the record, this   13:37:16     22   your goal to complete the SOM revisions by   12:47:35   22   document ends in Bates 274572.   13:37:17     23   fourth quarter of 2008?   12:47:35   23   And this is a July 29, 2008,   13:37:21     24   A. No.   12:47:36   25   correct?   13:37:27     25   Q. Okay. Did you have a did   12:47:41   2   other than trying to effectuate an improved   12:47:41   2   other than trying to effectuate an improved   12:47:43   3   SOM program as soon as possible?   12:47:44   3   SOM program as soon as possible?   12:47:45   4   A. No.   12:47:47   2   A. Yes.   13:37:27     3   SOM program as soon as possible?   12:47:46   3   stay. We've got a few more hours to go.   13:37:16     4   A. No.   12:47:35   22   document ends in Bates 274572.   13:37:17     5   Q. Okay. Did you have a did   12:47:36   25   correct?   13:37:27     7   2   A. Yes.   13:37:27     8   A. Yes.   13:37:27     9   4   A. Yes.   13:37:27     9   4   A. Yes.   13:37:27     13:37:27   2   Q. And this appears to be another   13:37:27     13:37:35   3   3   3   3   3   3     14   Q. Okay. By the way, turning back   12:47:48   5   13:37:35     15   A. A. Roal I dose people folks on   12:48:00   13:37:35     16   4   A. No.   12:48:10   13:37:35     17   A. Yes.   13:37:27     18   A. Yes.   13:37:27     19   4   A. Yes.   13:37:27     19   4   A. No.   12:47:44   13:37:35     19   4   A. No.   12:48:02   13:37:35     10   A. No.   12:48:10   13:37:35     11   Q. Okay. Which individuals were   12:48:13   12   14:41   12   14:41   14:41   14:41   14:41   14:41   14:41   14:41   14:41   14:41   14:41   14:41   14:41   14:41   14:41   14:41   14:41   14:41   14:	16	A. That's incorrect. 12:47:23	16	A. Thank you. 13:37:07
18   referring to?   12:47:25   18   stay. We've got a few more hours to go.   13:37:09     19   A. The update that would be   12:47:26   19   Tve handed you a copy of   13:37:12     20   provided on the next team call.   12:47:27   20   what's been marked as Harper Exhibit 7.   13:37:16     21   Q. Okay. So it wasn't necessarily   12:47:29   21   And for the record, this   13:37:16     22   your goal to complete the SOM revisions by   12:47:35   22   document ends in Bates 274572.   13:37:17     23   fourth quarter of 2008?   12:47:35   23   And this is a July 29, 2008,   13:37:21     24   A. No.   12:47:36   25   correct?   13:37:27     25   Q. Okay. Did you have a did   12:47:41   2   other than trying to effectuate an improved   12:47:41   2   other than trying to effectuate an improved   12:47:43   3   SOM program as soon as possible?   12:47:44   3   SOM program as soon as possible?   12:47:45   4   A. No.   12:47:47   2   A. Yes.   13:37:27     3   SOM program as soon as possible?   12:47:46   3   stay. We've got a few more hours to go.   13:37:16     4   A. No.   12:47:35   22   document ends in Bates 274572.   13:37:17     5   Q. Okay. Did you have a did   12:47:36   25   correct?   13:37:27     7   2   A. Yes.   13:37:27     8   A. Yes.   13:37:27     9   4   A. Yes.   13:37:27     9   4   A. Yes.   13:37:27     13:37:27   2   Q. And this appears to be another   13:37:27     13:37:35   3   3   3   3   3   3     14   Q. Okay. By the way, turning back   12:47:48   5   13:37:35     15   A. A. Roal I dose people folks on   12:48:00   13:37:35     16   4   A. No.   12:48:10   13:37:35     17   A. Yes.   13:37:27     18   A. Yes.   13:37:27     19   4   A. Yes.   13:37:27     19   4   A. No.   12:47:44   13:37:35     19   4   A. No.   12:48:02   13:37:35     10   A. No.   12:48:10   13:37:35     11   Q. Okay. Which individuals were   12:48:13   12   14:41   12   14:41   14:41   14:41   14:41   14:41   14:41   14:41   14:41   14:41   14:41   14:41   14:41   14:41   14:41   14:41   14:41   14:41   14:	17	Q. Okay. So what is this deadline 12:47:24	17	•
19   A. The update that would be   12:47:26   20   20 provided on the next team call.   12:47:27   20   20 your goal to complete the SOM revisions by   12:47:31   21   22 your goal to complete the SOM revisions by   12:47:35   23   24   24:7:35   24   A. No.   12:47:36   24   25   Q. Okay. Did you have a did   12:47:36   25   Q. Okay. Did you have a did   12:47:36   26   27   27   27   20   27   27   20   27   27	18		18	
20 provided on the next team call.   12:47:27   20 what's been marked as Harper Exhibit 7.   13:37:14     21 Q. Okay. So it wasn't necessarily   12:47:31   22   24:47:35   23   24   24   25   25   26   26   27   27   27   27   27   27	19	_	19	
21   Q. Okay. So it wasn't necessarily   12:47:29   21   And for the record, this   13:37:16   22   your goal to complete the SOM revisions by   12:47:31   22   document ends in Bates 274572.   13:37:17   13:37:17   23   And this is a July 29, 2008,   13:37:21   24   E-mail from you to Mr. Ratliff; is that   13:37:25   25   Q. Okay. Did you have a did   12:47:36   25   Correct?   13:37:27   27   29   Tay ou have a firm goal at any point in time   12:47:41   2   2:47:44   2   Other than trying to effectuate an improved   12:47:43   3   SOM program as soon as possible?   12:47:46   3   monthly report as of July 2008 that you are   13:37:27   2   SOM program as soon as possible?   12:47:48   5   today?   13:37:35   5   today?   13:37:35   5   today?   13:37:35   7   2   A. Correct.   13:37:45   7   A.	20	•	20	* **
22   your goal to complete the SOM revisions by   12:47:31   22   document ends in Bates 274572.   13:37:17   13:37:17   23   fourth quarter of 2008?   12:47:36   24   A. No.   12:47:36   25   Q. Okay. Did you have a did   12:47:36   25   correct?   13:37:27   26   Page 219   20   their than trying to effectuate an improved   12:47:41   1   A. Yes.   13:37:27   26   And this appears to be another   13:37:27   27   28   And this appears to be another   13:37:27   29   And this appears to be another   13:37:27   29   And this appears to be another   13:37:29   29   SOM program as soon as possible?   12:47:48   29   Some page 219   Page 21	21	-	21	•
23   Fourth quarter of 2008?   12:47:35   24   A. No.   12:47:36   25   Q. Okay. Did you have a did   12:47:36   25   Q. Okay. Did you have a did   12:47:36   25   Correct?   13:37:27   Page 219   Page	22		22	
24 A. No. 12:47:36 25 Q. Okay. Did you have a did 12:47:36 26 Death of the than trying to effectuate an improved 12:47:41 27 other than trying to effectuate an improved 12:47:43 28 OM program as soon as possible? 12:47:46 4 A. No. 12:47:47 5 Q. Okay. By the way, turning back 12:47:48 6 to the first page, there are a list of 12:47:54 7 attendees. 12:48:00 8 Are all those people folks on 12:48:02 9 the DEA/controlled substance compliance team? 12:48:01 10 A. No. 12:48:10 11 Q. Okay. Which individuals were 12:48:11 12 not on the DEA compliance team? 12:48:13 13 A. Joe Ruffino. 12:48:15 14 Q. Okay. 12:48:23 15 A. And I can't be certain about 12:48:23 16 Patit Woznick. So Patti and Joe were in 12:48:30 17 purchasing, and dotted line, Hobart 12:48:37 18 compliance reported to Patti for a while, and 12:48:34 19 then they came into part of this 12:48:48 20 Q. Okay. So other than Joe and 12:48:48 21 Q. Okay. So other than Joe and 12:48:48 22 Q. Okay. So other than Joe and 12:48:48 23 Q. Okay. So other than Joe and 12:48:48 24 e-mail from you to Mr. Ratliff; is that 13:37:25 25 correct? 13:37:27  Page 221  A. Yes. 13:37:27  A. Yes. 13:37:27  A. Yes. 13:37:27  Page 221  A. Yes. 13:37:27  A. A. Yes. 13:37:27  A. A. Correct. 13:37:35  A. And I just wanted to ask a few 13:37:36  B. And I just wanted to ask a few 13:37:45  12 It appears here on the third 13:37:46  13 section down that you are working on a draft 13:37:46  14 of the SOM policy, and you indicate that 13:37:56  15 hopefully the final draft is close to 13:38:05  16 publication. 13:38:05  17 Do you see that? 13:38:05  18 A. I do see it. 13:38:05  29 Using a propose in the page of the team at 12:48:45  20 July 29, 2008, you're working on a final 13:38:07  21 revised draft of the SOM policy? 13:38:16  22 A. Yes, as it stood at the time, 13:38:16	23		23	
Page 219				•
Page 219  1 you have a firm goal at any point in time 12:47:41 2 other than trying to effectuate an improved 12:47:43 3 SOM program as soon as possible? 12:47:46 4 A. No. 12:47:47 5 Q. Okay. By the way, turning back 12:47:48 6 to the first page, there are a list of 12:48:00 8 Are all those people folks on 12:48:02 9 the DEA/controlled substance compliance team? 12:48:10 11 Q. Okay. Which individuals were 12:48:11 12 not on the DEA compliance team? 12:48:13 13 A. Joe Ruffino. 12:48:13 14 Q. Okay. 12:48:13 15 A. And I can't be certain about 12:48:23 16 Patti Woznick. So Patti and Joe were in 12:48:30 17 purchasing, and dotted line, Hobart 12:48:30 18 compliance reported to Patti for a while, and 12:48:37 19 then they came into part of this 12:48:48 20 Q. Okay. So other than Joe and 12:48:48 21 Q. Okay. So other than Joe and 12:48:48 22 Q. And this appears to be another 13:37:27 2 Q. And this appears to be another 13:37:27 3 monthly report as of July 2008 that you are 13:37:29 4 sending on that we discussed previously 13:37:35 5 today? 13:37:35 6 A. Correct. 13:37:35 7 Q. In terms of we had discussed 13:37:36 8 the fact that you had sent monthly reports to 13:37:38 9 Mr. Ratliff. 13:37:42 10 And I just wanted to ask a few 13:37:43 11 questions on this document. 13:37:45 12 It appears here on the third 13:37:45 13:38:05 14 of the SOM policy, and you indicate that 13:37:56 15 hopefully the final draft is close to 13:38:05 16 publication. 13:38:05 17 Do you see that? 13:38:05 18 A. I do see it. 13:38:05 20 July 29, 2008, you're working on a final 13:38:07 21 revised draft of the SOM policy? 13:38:10 22 A. Yes, as it stood at the time, 13:38:16	25		25	•
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		•		•
25 of the DEA comphance team? 12:46:32   25 feedback from Ms. Stewart? 13:38:18				-
	25	of the DEA comphance team? 12:48:52	∠5	recuback from Ms. Stewart? 13:38:18

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1	A. Yes. 13:38:19	1	Mallinckrodt to begin with. 13:40:20
2	Q. And that you are hoping to 13:38:19	2	So then in that circumstance, 13:40:21
3	train and implement the revised SOM program 13:38:26	3	the distributor applies back to Mallinckrodt 13:40:23
4	in August, later that summer, correct? 13:38:28	4	to made whole to be made whole for that 13:40:25
5	A. Yes. 13:38:30	5	differential. So I'd like to point out that 13:40:28
6	Q. Okay. So at this point it's 13:38:31	6	all transactions are not subject to 13:40:32
7	still a work in progress, the revised SOM 13:38:32	7	chargebacks, and chargebacks are after the 13:40:34
8	program, correct? 13:38:35	8	fact, retrospective information. 13:40:36
9	MR. O'CONNOR: Objection to 13:38:36	9	Q. And when you say "all 13:40:39
10	form. 13:38:36	10	transactions are not subject to chargebacks," 13:40:41
11	THE WITNESS: Yes. Yes. 13:38:36	11	what you mean by that, if I understand you 13:40:44
12	QUESTIONS BY MR. KO: 13:38:38	12	correctly, is that, you know, chargeback only 13:40:47
13	Q. And at the bottom of this 13:38:38	13	occurs if a distributor or customer of 13:40:49
14	e-mail, there's another reference to 13:38:44	14	Mallinckrodt makes such a request to 13:40:50
15	IntegriChain. I don't want to ask you any 13:38:45	15	Mallinckrodt, correct? 13:40:52
16	questions about that. We've talked about 13:38:49	16	A. Correct. 13:40:53
17	that. 13:38:50	17	Q. Pursuant to the terms of the 13:40:53
18	But you also discuss in this 13:38:50	18	agreement between the distributor and 13:40:56
19	e-mail how, quote, "How review of 13:38:53	19	Mallinckrodt, correct? 13:40:58
20	Mallinckrodt chargebacks could be used to 13:38:55	20	A. That's correct. 13:40:58
21	help our customers monitor their customers," 13:38:57	21	Q. Okay. And separate and apart 13:40:59
22	end quote. 13:39:01	22	from whether or not all information, as you 13:41:01
23	Did I read that correctly? 13:39:01	23	describe, is contained in the chargeback 13:41:05
24	A. Yes. 13:39:02	24	information or chargeback data, for lack 13:41:07
25	Q. So fair well, as of the date 13:39:02	25	of a better term, was there also a certain 13:41:09
-	Page 223		Page 225
	Page 225	1	
1	_	1	
1	of this e-mail, is it fair to say that you 13:39:06	1	point in time where you expanded the 13:41:12
2	of this e-mail, is it fair to say that you 13:39:06 were considering how to utilize chargeback 13:39:10	2	point in time where you expanded the 13:41:12 examination of, quote/unquote, downstream 13:41:17
2 3	of this e-mail, is it fair to say that you 13:39:06 were considering how to utilize chargeback 13:39:10 information to understand how to help 13:39:12	2	point in time where you expanded the 13:41:12 examination of, quote/unquote, downstream 13:41:17 data? 13:41:22
2 3 4	of this e-mail, is it fair to say that you 13:39:06 were considering how to utilize chargeback 13:39:10 information to understand how to help 13:39:12 customers monitor their customers? 13:39:16	2 3 4	point in time where you expanded the 13:41:12 examination of, quote/unquote, downstream 13:41:17 data? 13:41:22  MR. O'CONNOR: Object to form. 13:41:22
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2 3 4 5 6	of this e-mail, is it fair to say that you 13:39:06 were considering how to utilize chargeback 13:39:10 information to understand how to help 13:39:12 customers monitor their customers? 13:39:16 A. Yes, that's correct. 13:39:18 Q. Okay. You can set that aside. 13:39:19	2 3 4 5 6	point in time where you expanded the examination of, quote/unquote, downstream 13:41:17 data? 13:41:22  MR. O'CONNOR: Object to form. 13:41:22  QUESTIONS BY MR. KO: 13:41:23  Q. Let me strike that. 13:41:24
2 3 4 5 6 7	of this e-mail, is it fair to say that you 13:39:06 were considering how to utilize chargeback 13:39:10 information to understand how to help 13:39:12 customers monitor their customers? 13:39:16  A. Yes, that's correct. 13:39:18 Q. Okay. You can set that aside. 13:39:19 And was one reason to utilize 13:39:22	2 3 4 5 6 7	point in time where you expanded the examination of, quote/unquote, downstream 13:41:17 data? 13:41:22  MR. O'CONNOR: Object to form. 13:41:22  QUESTIONS BY MR. KO: 13:41:23  Q. Let me strike that. 13:41:24  In addition to chargeback data 13:41:24
2 3 4 5 6 7 8	of this e-mail, is it fair to say that you 13:39:06  were considering how to utilize chargeback 13:39:10 information to understand how to help 13:39:12 customers monitor their customers? 13:39:16  A. Yes, that's correct. 13:39:18  Q. Okay. You can set that aside. 13:39:19 And was one reason to utilize 13:39:22 chargeback information or strike that. 13:39:39	2 3 4 5 6 7 8	point in time where you expanded the examination of, quote/unquote, downstream 13:41:17 data? 13:41:22  MR. O'CONNOR: Object to form. 13:41:22  QUESTIONS BY MR. KO: 13:41:23  Q. Let me strike that. 13:41:24  In addition to chargeback data 13:41:24  as you described, were there any other 13:41:26
2 3 4 5 6 7 8	of this e-mail, is it fair to say that you 13:39:06  were considering how to utilize chargeback 13:39:10 information to understand how to help 13:39:12 customers monitor their customers? 13:39:16  A. Yes, that's correct. 13:39:18  Q. Okay. You can set that aside. 13:39:19 And was one reason to utilize 13:39:22 chargeback information or strike that. 13:39:39 What is your understanding of 13:39:41	2 3 4 5 6 7 8	point in time where you expanded the examination of, quote/unquote, downstream 13:41:17 data? 13:41:22  MR. O'CONNOR: Object to form. 13:41:22  QUESTIONS BY MR. KO: 13:41:23  Q. Let me strike that. 13:41:24  In addition to chargeback data 13:41:24  as you described, were there any other 13:41:26  sources of information that you asked to be 13:41:28
2 3 4 5 6 7 8 9	of this e-mail, is it fair to say that you 13:39:06 were considering how to utilize chargeback 13:39:10 information to understand how to help 13:39:12 customers monitor their customers? 13:39:16  A. Yes, that's correct. 13:39:18  Q. Okay. You can set that aside. 13:39:19 And was one reason to utilize 13:39:22 chargeback information or strike that. 13:39:39 What is your understanding of 13:39:41 chargeback chargeback data, separate and 13:39:43	2 3 4 5 6 7 8 9	point in time where you expanded the examination of, quote/unquote, downstream 13:41:17 data? 13:41:22  MR. O'CONNOR: Object to form. 13:41:22  QUESTIONS BY MR. KO: 13:41:23  Q. Let me strike that. 13:41:24  In addition to chargeback data 13:41:24  as you described, were there any other 13:41:26  sources of information that you asked to be 13:41:28  pulled for purposes of understanding the 13:41:32
2 3 4 5 6 7 8 9 10	of this e-mail, is it fair to say that you 13:39:06 were considering how to utilize chargeback 13:39:10 information to understand how to help 13:39:12 customers monitor their customers? 13:39:16  A. Yes, that's correct. 13:39:18  Q. Okay. You can set that aside. 13:39:19 And was one reason to utilize 13:39:22 chargeback information or strike that. 13:39:39 What is your understanding of 13:39:41 chargeback chargeback data, separate and 13:39:43 apart from what's included in that? 13:39:47	2 3 4 5 6 7 8 9 10	point in time where you expanded the examination of, quote/unquote, downstream data?  13:41:17  MR. O'CONNOR: Object to form. 13:41:22  QUESTIONS BY MR. KO: 13:41:23  Q. Let me strike that. 13:41:24  In addition to chargeback data 13:41:24  as you described, were there any other sources of information that you asked to be pulled for purposes of understanding the obligation to monitor customers' customers? 13:41:36
2 3 4 5 6 7 8 9 10 11	of this e-mail, is it fair to say that you 13:39:06 were considering how to utilize chargeback 13:39:10 information to understand how to help 13:39:12 customers monitor their customers? 13:39:16 A. Yes, that's correct. 13:39:18 Q. Okay. You can set that aside. 13:39:19 And was one reason to utilize 13:39:22 chargeback information or strike that. 13:39:39 What is your understanding of 13:39:41 chargeback chargeback data, separate and 13:39:43 apart from what's included in that? 13:39:47 A. Like currently my 13:39:48	2 3 4 5 6 7 8 9 10 11	point in time where you expanded the examination of, quote/unquote, downstream 13:41:17 data?  MR. O'CONNOR: Object to form. 13:41:22  MR. O'CONNOR: Object to form. 13:41:22  QUESTIONS BY MR. KO: 13:41:23  Q. Let me strike that. 13:41:24  In addition to chargeback data 13:41:24  as you described, were there any other 13:41:26 sources of information that you asked to be 13:41:28 pulled for purposes of understanding the 13:41:32 obligation to monitor customers' customers? 13:41:36  A. I not as you state the 13:41:38
2 3 4 5 6 7 8 9 10 11 12	of this e-mail, is it fair to say that you 13:39:06 were considering how to utilize chargeback 13:39:10 information to understand how to help 13:39:12 customers monitor their customers? 13:39:16  A. Yes, that's correct. 13:39:18 Q. Okay. You can set that aside. 13:39:19 And was one reason to utilize 13:39:22 chargeback information or strike that. 13:39:39 What is your understanding of 13:39:41 chargeback chargeback data, separate and 13:39:43 apart from what's included in that? 13:39:47  A. Like currently my 13:39:48 Q. Yeah. What's your 13:39:50	2 3 4 5 6 7 8 9 10 11 12 13	point in time where you expanded the examination of, quote/unquote, downstream data?  13:41:17  MR. O'CONNOR: Object to form. 13:41:22  QUESTIONS BY MR. KO: 13:41:23  Q. Let me strike that. 13:41:24  In addition to chargeback data 13:41:24  as you described, were there any other 13:41:26  sources of information that you asked to be 13:41:28  pulled for purposes of understanding the 13:41:32  obligation to monitor customers' customers? 13:41:36  A. I not as you state the 13:41:38  question, I'm not aware. 13:41:41
2 3 4 5 6 7 8 9 10 11 12 13 14	of this e-mail, is it fair to say that you 13:39:06 were considering how to utilize chargeback 13:39:10 information to understand how to help 13:39:12 customers monitor their customers? 13:39:16  A. Yes, that's correct. 13:39:18  Q. Okay. You can set that aside. 13:39:19 And was one reason to utilize 13:39:22 chargeback information or strike that. 13:39:39  What is your understanding of 13:39:41 chargeback chargeback data, separate and 13:39:43 apart from what's included in that? 13:39:47  A. Like currently my 13:39:48 Q. Yeah. What's your 13:39:50 understanding of what chargeback data 13:39:51	2 3 4 5 6 7 8 9 10 11 12 13	point in time where you expanded the examination of, quote/unquote, downstream data?  13:41:12  MR. O'CONNOR: Object to form. 13:41:22  QUESTIONS BY MR. KO: 13:41:23  Q. Let me strike that. 13:41:24  In addition to chargeback data 13:41:24  as you described, were there any other 13:41:26  sources of information that you asked to be 13:41:28  pulled for purposes of understanding the 13:41:32  obligation to monitor customers' customers? 13:41:36  A. I not as you state the 13:41:41  (Mallinckrodt-Harper Exhibit 9 13:41:44
2 3 4 5 6 7 8 9 10 11 12 13 14 15	of this e-mail, is it fair to say that you 13:39:06  were considering how to utilize chargeback 13:39:10 information to understand how to help 13:39:12 customers monitor their customers? 13:39:16  A. Yes, that's correct. 13:39:18  Q. Okay. You can set that aside. 13:39:19 And was one reason to utilize 13:39:22 chargeback information or strike that. 13:39:39  What is your understanding of 13:39:41 chargeback chargeback data, separate and 13:39:43 apart from what's included in that? 13:39:47  A. Like currently my 13:39:48  Q. Yeah. What's your 13:39:50 understanding of what chargeback data 13:39:51 consists of. 13:39:54	2 3 4 5 6 7 8 9 10 11 12 13 14	point in time where you expanded the examination of, quote/unquote, downstream data?  13:41:12  MR. O'CONNOR: Object to form. 13:41:22  QUESTIONS BY MR. KO: 13:41:23  Q. Let me strike that. 13:41:24  In addition to chargeback data 13:41:24  as you described, were there any other 13:41:26  sources of information that you asked to be 13:41:28  pulled for purposes of understanding the 13:41:32  obligation to monitor customers' customers? 13:41:36  A. I not as you state the 13:41:38  question, I'm not aware. 13:41:41  (Mallinckrodt-Harper Exhibit 9 13:41:44  marked for identification.) 13:41:44
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	of this e-mail, is it fair to say that you 13:39:06  were considering how to utilize chargeback 13:39:10  information to understand how to help 13:39:12  customers monitor their customers? 13:39:16  A. Yes, that's correct. 13:39:18  Q. Okay. You can set that aside. 13:39:19  And was one reason to utilize 13:39:22  chargeback information or strike that. 13:39:39  What is your understanding of 13:39:41  chargeback chargeback data, separate and 13:39:43  apart from what's included in that? 13:39:47  A. Like currently my 13:39:48  Q. Yeah. What's your 13:39:50  understanding of what chargeback data 13:39:51  consists of. 13:39:54  A. Certainly. 13:39:54  We sell to wholesalers and 13:39:55  distributors at a certain price, and there 13:39:56  are wholesaler/distributor customers, their 13:40:01	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	point in time where you expanded the examination of, quote/unquote, downstream 13:41:17 data?  MR. O'CONNOR: Object to form. 13:41:22  MR. O'CONNOR: Object to form. 13:41:22  QUESTIONS BY MR. KO: 13:41:23  Q. Let me strike that. 13:41:24  In addition to chargeback data 13:41:24  as you described, were there any other 13:41:26 sources of information that you asked to be 13:41:28 pulled for purposes of understanding the 13:41:32 obligation to monitor customers' customers? 13:41:36  A. I not as you state the 13:41:38 question, I'm not aware. 13:41:41  (Mallinckrodt-Harper Exhibit 9 13:41:44  marked for identification.) 13:41:44  QUESTIONS BY MR. KO: 13:41:44  Q. Okay. I'm going to hand you a 13:41:46 chargebacks, I'm going to hand you a copy of 13:41:48
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	of this e-mail, is it fair to say that you 13:39:06  were considering how to utilize chargeback 13:39:10 information to understand how to help 13:39:12 customers monitor their customers? 13:39:16  A. Yes, that's correct. 13:39:18  Q. Okay. You can set that aside. 13:39:19 And was one reason to utilize 13:39:22 chargeback information or strike that. 13:39:39  What is your understanding of 13:39:41 chargeback chargeback data, separate and 13:39:43 apart from what's included in that? 13:39:47  A. Like currently my 13:39:48 Q. Yeah. What's your 13:39:50 understanding of what chargeback data 13:39:51 consists of. 13:39:54  A. Certainly. 13:39:54  We sell to wholesalers and 13:39:55 distributors at a certain price, and there 13:39:56 are wholesaler/distributor customers, their 13:40:01 customers, who have negotiated discounts 13:40:04	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	point in time where you expanded the examination of, quote/unquote, downstream data?  13:41:12  MR. O'CONNOR: Object to form. 13:41:22  QUESTIONS BY MR. KO: 13:41:23  Q. Let me strike that. 13:41:24  In addition to chargeback data 13:41:24  as you described, were there any other sources of information that you asked to be pulled for purposes of understanding the 13:41:32  obligation to monitor customers' customers? 13:41:36  A. I not as you state the 13:41:38  question, I'm not aware. 13:41:41  (Mallinckrodt-Harper Exhibit 9 13:41:44  marked for identification.) 13:41:44  QUESTIONS BY MR. KO: 13:41:44  copy going back to your description of 13:41:48  what will be marked as I hate to go out of 13:41:50
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	of this e-mail, is it fair to say that you 13:39:06  were considering how to utilize chargeback 13:39:10 information to understand how to help 13:39:12 customers monitor their customers? 13:39:16  A. Yes, that's correct. 13:39:18  Q. Okay. You can set that aside. 13:39:19 And was one reason to utilize 13:39:22 chargeback information or strike that. 13:39:39  What is your understanding of 13:39:41 chargeback chargeback data, separate and 13:39:41 chargeback chargeback data, separate and 13:39:47  A. Like currently my 13:39:48  Q. Yeah. What's your 13:39:50 understanding of what chargeback data 13:39:51 consists of. 13:39:54  A. Certainly. 13:39:54  We sell to wholesalers and 13:39:55 distributors at a certain price, and there 13:39:56 are wholesaler/distributor customers, their 13:40:01 customers, who have negotiated discounts 13:40:04 through purchasing co-ops, et cetera. 13:40:07	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	point in time where you expanded the examination of, quote/unquote, downstream data?  13:41:12  MR. O'CONNOR: Object to form. 13:41:22  QUESTIONS BY MR. KO: 13:41:23  Q. Let me strike that. 13:41:24  In addition to chargeback data 13:41:24  as you described, were there any other sources of information that you asked to be pulled for purposes of understanding the 13:41:32  obligation to monitor customers' customers? 13:41:36  A. I not as you state the 13:41:38  question, I'm not aware. 13:41:41  (Mallinckrodt-Harper Exhibit 9 13:41:44  marked for identification.) 13:41:44  QUESTIONS BY MR. KO: 13:41:44  QUESTIONS BY MR. KO: 13:41:44  copy going back to your description of 13:41:48  what will be marked as I hate to go out of 13:41:50  order because I already premarked something, 13:41:52
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	of this e-mail, is it fair to say that you 13:39:06  were considering how to utilize chargeback 13:39:10  information to understand how to help 13:39:12  customers monitor their customers? 13:39:16  A. Yes, that's correct. 13:39:18  Q. Okay. You can set that aside. 13:39:19  And was one reason to utilize 13:39:22  chargeback information or strike that. 13:39:39  What is your understanding of 13:39:41  chargeback chargeback data, separate and 13:39:43  apart from what's included in that? 13:39:47  A. Like currently my 13:39:48  Q. Yeah. What's your 13:39:50  understanding of what chargeback data 13:39:51  consists of. 13:39:54  A. Certainly. 13:39:54  We sell to wholesalers and 13:39:55  distributors at a certain price, and there 13:39:56  are wholesaler/distributor customers, their 13:40:01  customers, who have negotiated discounts 13:40:04  through purchasing co-ops, et cetera. 13:40:07  And so they then purchase from 13:40:10	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	point in time where you expanded the examination of, quote/unquote, downstream data?  13:41:12  MR. O'CONNOR: Object to form. 13:41:22  QUESTIONS BY MR. KO: 13:41:23  Q. Let me strike that. 13:41:24  In addition to chargeback data 13:41:24  as you described, were there any other 13:41:26  sources of information that you asked to be pulled for purposes of understanding the 13:41:32  obligation to monitor customers' customers? 13:41:36  A. I not as you state the 13:41:38  question, I'm not aware. 13:41:41  (Mallinckrodt-Harper Exhibit 9 13:41:44  marked for identification.) 13:41:44  QUESTIONS BY MR. KO: 13:41:44  QUESTIONS BY MR. KO: 13:41:44  copy going back to your description of 13:41:48  what will be marked as I hate to go out of 13:41:50  order because I already premarked something, 13:41:52  but this is going to be Harper Exhibit 9. 13:41:54
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	of this e-mail, is it fair to say that you 13:39:06  were considering how to utilize chargeback 13:39:10 information to understand how to help 13:39:12 customers monitor their customers? 13:39:16  A. Yes, that's correct. 13:39:18  Q. Okay. You can set that aside. 13:39:19  And was one reason to utilize 13:39:22 chargeback information or strike that. 13:39:39  What is your understanding of 13:39:41 chargeback chargeback data, separate and 13:39:43 apart from what's included in that? 13:39:47  A. Like currently my 13:39:48  Q. Yeah. What's your 13:39:50 understanding of what chargeback data 13:39:51 consists of. 13:39:54  A. Certainly. 13:39:54  We sell to wholesalers and 13:39:55 distributors at a certain price, and there 13:39:56 are wholesaler/distributor customers, their 13:40:01 customers, who have negotiated discounts 13:40:04 through purchasing co-ops, et cetera. 13:40:07  And so they then purchase from 13:40:10 our distributors. The downstream registrants 13:40:12	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	point in time where you expanded the examination of, quote/unquote, downstream data?  13:41:12  MR. O'CONNOR: Object to form.  13:41:22  QUESTIONS BY MR. KO:  13:41:23  Q. Let me strike that.  13:41:24  In addition to chargeback data 13:41:24  as you described, were there any other sources of information that you asked to be pulled for purposes of understanding the 13:41:32  obligation to monitor customers' customers? 13:41:36  A. I not as you state the 13:41:38  question, I'm not aware.  (Mallinckrodt-Harper Exhibit 9 13:41:44  marked for identification.) 13:41:44  QUESTIONS BY MR. KO:  13:41:44  QUESTIONS BY MR. KO: 13:41:44  copy going back to your description of 13:41:48  what will be marked as I hate to go out of 13:41:50  order because I already premarked something, 13:41:54  And for the record, this is a 13:41:57
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	of this e-mail, is it fair to say that you 13:39:06 were considering how to utilize chargeback 13:39:10 information to understand how to help 13:39:12 customers monitor their customers? 13:39:16  A. Yes, that's correct. 13:39:18  Q. Okay. You can set that aside. 13:39:19 And was one reason to utilize 13:39:22 chargeback information or strike that. 13:39:39 What is your understanding of 13:39:41 chargeback chargeback data, separate and 13:39:41 chargeback chargeback data, separate and 13:39:47  A. Like currently my 13:39:48 Q. Yeah. What's your 13:39:50 understanding of what chargeback data 13:39:51 consists of. 13:39:54  A. Certainly. 13:39:54  We sell to wholesalers and 13:39:55 distributors at a certain price, and there 13:39:56 are wholesaler/distributor customers, their 13:40:01 customers, who have negotiated discounts 13:40:04 through purchasing co-ops, et cetera. 13:40:07 And so they then purchase from 13:40:10 our distributors. The downstream registrants 13:40:12 purchase from our distributor at a lesser 13:40:14	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	point in time where you expanded the examination of, quote/unquote, downstream 13:41:17 data?  MR. O'CONNOR: Object to form. 13:41:22  MR. O'CONNOR: Object to form. 13:41:22  QUESTIONS BY MR. KO: 13:41:24  In addition to chargeback data 13:41:24  as you described, were there any other 13:41:26 sources of information that you asked to be 13:41:28 pulled for purposes of understanding the 13:41:32 obligation to monitor customers' customers? 13:41:36  A. I not as you state the 13:41:38 question, I'm not aware. 13:41:41  (Mallinckrodt-Harper Exhibit 9 13:41:44  Marked for identification.) 13:41:44  QUESTIONS BY MR. KO: 13:41:44  QUESTIONS BY MR. KO: 13:41:44  copy going back to your description of 13:41:48 what will be marked as I hate to go out of 13:41:50 order because I already premarked something, 13:41:54  And for the record, this is a 13:41:57 copy of your deposition transcript that you 13:41:59
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	of this e-mail, is it fair to say that you 13:39:06  were considering how to utilize chargeback 13:39:10 information to understand how to help 13:39:12 customers monitor their customers? 13:39:16  A. Yes, that's correct. 13:39:18  Q. Okay. You can set that aside. 13:39:19  And was one reason to utilize 13:39:22 chargeback information or strike that. 13:39:39  What is your understanding of 13:39:41 chargeback chargeback data, separate and 13:39:43 apart from what's included in that? 13:39:47  A. Like currently my 13:39:48  Q. Yeah. What's your 13:39:50 understanding of what chargeback data 13:39:51 consists of. 13:39:54  A. Certainly. 13:39:54  We sell to wholesalers and 13:39:55 distributors at a certain price, and there 13:39:56 are wholesaler/distributor customers, their 13:40:01 customers, who have negotiated discounts 13:40:04 through purchasing co-ops, et cetera. 13:40:07  And so they then purchase from 13:40:10 our distributors. The downstream registrants 13:40:12	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	point in time where you expanded the examination of, quote/unquote, downstream data?  13:41:12  MR. O'CONNOR: Object to form.  13:41:22  QUESTIONS BY MR. KO:  13:41:23  Q. Let me strike that.  13:41:24  In addition to chargeback data 13:41:24  as you described, were there any other sources of information that you asked to be pulled for purposes of understanding the pulled for purposes of understanding the 13:41:32  obligation to monitor customers' customers? 13:41:36  A. I not as you state the 13:41:38  question, I'm not aware.  (Mallinckrodt-Harper Exhibit 9 13:41:44  Marked for identification.) 13:41:44  QUESTIONS BY MR. KO:  13:41:44  QUESTIONS BY MR. KO:  13:41:44  copy going back to your description of 13:41:48  what will be marked as I hate to go out of 13:41:50  order because I already premarked something, 13:41:54  And for the record, this is a 13:41:57

	3 1		2
	Page 226		Page 228
1	matter that we were discussing earlier today. 13:42:09	1	Q. Okay. So for purposes of this 13:44:25
2	Do you recall sitting for that 13:42:12	2	deposition, is it true that provided there 13:44:29
3	deposition? 13:42:12	3	was a chargeback request, Mallinckrodt would 13:44:31
4	A. Yes. 13:42:13	4	know exactly which pharmacy the drugs were 13:44:35
5	Q. And Island Drug was a pharmacy 13:42:13	5	sold to? 13:44:37
6	that actually one of your distributors 13:42:15	6	A. Yes. 13:44:38
7	shipped to, correct? 13:42:17	7	Q. And provided that there was a 13:44:39
8	A. May I have a minute to 13:42:18	8	chargeback request, Mallinckrodt would know 13:44:41
9	refamiliarize myself with the document? Is 13:42:27	9	what the DEA registration number of the 13:44:43
10	that all right? 13:42:30	10	downstream entity is, correct? 13:44:46
11	Q. Actually, I just want to is 13:42:31	11	A. Yes. 13:44:47
12	it for purposes of answering my question? 13:42:31	12	Q. And Mallinckrodt would also 13:44:48
13	A. Yes, sir. 13:42:32	13	know exactly which pharmacy address its pills 13:44:50
14	Q. You don't need to answer that. 13:42:33	14	were being shipped to, correct? 13:44:54
15	I just actually want to turn your attention 13:42:34	15	A. Correct. 13:44:55
16	to page 12. I'm sorry, page 11. 13:42:36	16	Q. And Mallinckrodt would also 13:44:56
17	And so in connection with this 13:42:54	17	understand the quantity of pills being 13:44:58
18	deposition testimony, do you see the question 13:43:05	18	shipped to that particular particular 13:44:59
19	that's asked: "And what is a chargeback 13:43:08	19	pharmacy or clinic, correct? 13:45:02
20	system, if you'll define that, please?" 13:43:12	20	MR. O'CONNOR: Objection to 13:45:03
21	Do you mind reading your 13:43:14	21	form. 13:45:04
22	response to that question in the record? 13:43:15	22	THE WITNESS: That's correct. 13:45:04
23	A. I don't mind. 13:43:17	23	QUESTIONS BY MR. KO: 13:45:04
24	Q. Okay. Thank you. 13:43:19	24	Q. And Mallinckrodt would know 13:45:05
25	A. "Mallinckrodt sells controlled 13:43:20	25	exactly which drugs they have sold to that 13:45:06
	Page 227		Page 229
1	substances to wholesalers at a standard 13:43:22	1	particular pharmacy, correct? 13:45:08
2	price. Some pharmacies negotiate a 13:43:24	2	A. Correct. 13:45:09
3	discounted price. When the wholesaler honors 13:43:27	3	Q. And I want to focus on your 13:45:11
4	the discounted price to the pharmacy, they 13:43:30	4	qualification when you say you this would 13:45:15
5	then submit a chargeback request 13:43:32	5	only be the case if Mallinckrodt obtained a 13:45:19
6	retroactively to Mallinckrodt so that they 13:43:35	6	chargeback request. 13:45:22
7	can be made financially whole for the 13:43:39	7	First of all, wasn't it the 13:45:22
8	difference in price." 13:43:41	8	case that a chargeback request it was 13:45:25
9	Is that enough or shall I go 13:43:44	9	certainly uncommon if a chargeback request 13:45:28
10	on? 13:43:46	10	did not occur, correct? 13:45:30
11	Q. Can you please continue? 13:43:46	11	MR. O'CONNOR: Objection to 13:45:32
12	A. Certainly. 13:43:47	12	form. 13:45:33
13	"In doing so, the wholesaler 13:43:48	13	THE WITNESS: Yes. 13:45:33
14	tells Mallinckrodt exactly which pharmacy to 13:43:51	14	QUESTIONS BY MR. KO: 13:45:36
15	which the drugs were sold, what the DEA 13:43:53	15	Q. In most instances, Mallinckrodt 13:45:37
16	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	16	and you expected a chargeback request to be 13:45:40
17	registration number is, the pharmacy address, 13:43:55		1 1 11 11 11 10 10 10 10 10 10 10
	the quantity, and which drugs they have sold 13:43:58	17	made by a distributor, correct? 13:45:43
18		17 18	A. Yes. 13:45:45
18 19	the quantity, and which drugs they have sold 13:43:58		•
	the quantity, and which drugs they have sold 13:43:58 to that pharmacy." 13:44:01	18	A. Yes. 13:45:45
19	the quantity, and which drugs they have sold 13:43:58 to that pharmacy." 13:44:01  Q. Okay. And as you sit here 13:44:04	18 19	A. Yes. 13:45:45 Q. And move and putting aside 13:45:46
19 20	the quantity, and which drugs they have sold 13:43:58 to that pharmacy." 13:44:01  Q. Okay. And as you sit here 13:44:04 today, is that still an accurate description 13:44:06	18 19 20	A. Yes. 13:45:45  Q. And move and putting aside 13:45:46  whether or not a chargeback was paid, does 13:45:52
19 20 21	the quantity, and which drugs they have sold 13:43:58 to that pharmacy." 13:44:01  Q. Okay. And as you sit here 13:44:04 today, is that still an accurate description 13:44:06 of how you understand the chargeback system? 13:44:11	18 19 20 21	A. Yes. 13:45:45  Q. And move and putting aside 13:45:46  whether or not a chargeback was paid, does 13:45:52 the chargeback data track all downstream 13:45:56
19 20 21 22	the quantity, and which drugs they have sold 13:43:58 to that pharmacy." 13:44:01  Q. Okay. And as you sit here 13:44:04 today, is that still an accurate description 13:44:06 of how you understand the chargeback system? 13:44:11  A. The only thing I would amend, 13:44:13	18 19 20 21 22	A. Yes. 13:45:45 Q. And move and putting aside 13:45:46 whether or not a chargeback was paid, does 13:45:52 the chargeback data track all downstream 13:45:56 customer sales? 13:45:58
19 20 21 22 23	the quantity, and which drugs they have sold 13:43:58 to that pharmacy." 13:44:01  Q. Okay. And as you sit here 13:44:04 today, is that still an accurate description 13:44:06 of how you understand the chargeback system? 13:44:11  A. The only thing I would amend, 13:44:13 if possible, is to qualify that and say so 13:44:16	18 19 20 21 22 23	A. Yes. 13:45:45  Q. And move and putting aside 13:45:46  whether or not a chargeback was paid, does 13:45:52 the chargeback data track all downstream 13:45:56  customer sales? 13:45:58  MR. O'CONNOR: Objection to 13:46:00

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	Page 230		Page 232
1	customers" meaning the pharmacy? 13:46:04	1	Q. Okay. And you indicate that it 13:48:10
2	QUESTIONS BY MR. KO: 13:46:05	2	gives specific guidance on suspicious order 13:48:16
3	Q. Yes. 13:46:06	3	monitoring. 13:48:20
4	A. Their sales? 13:46:06	4	Do you see that? 13:48:20
5	Q. The sales made to the 13:46:07	5	A. Yes, I do see it. 13:48:21
6	pharmacies by the distributors. 13:46:10	6	Q. And so is it fair to say that 13:48:23
7	A. For Mallinckrodt product, yes. 13:46:12	7	you in fact believe it to be the case that 13:48:26
8	Q. Okay. So just so the record is 13:46:15	8	this letter was instructive on your 13:48:27
9	clear, the chargeback data would include all 13:46:17	9	obligations to design and implement a 13:48:31
10	downstream customer sales made by a 13:46:21	10	suspicious order monitoring system? 13:48:34
11	distributor to a pharmacy or clinic, correct? 13:46:24	11	A. It was instructive in terms of 13:48:35
12	A. Correct. 13:46:27	12	guidance. 13:48:38
13	Q. Okay. And so you can set this 13:46:28	13	Q. Okay. 13:48:39
14	one aside. 13:46:37	14	A. Yes. 13:48:39
15	(Mallinckrodt-Harper Exhibit 8 13:46:53	15	Q. And you also ask or you 13:48:40
16	marked for identification.) 13:46:53	16	don't you don't ask anything, but Jim 13:48:45
17	QUESTIONS BY MR. KO: 13:46:53	17	Rausch responds to your e-mail. 13:48:47
18	Q. I'm now going to go back in 13:46:46	18	Do you see that? 13:48:48
19	time or back in order and hand you a copy 13:46:47	19	A. Yes, I do. 13:48:49
20	of what's going to be marked or what has 13:46:49	20	Q. And he indicates that "We," 13:48:51
21	been marked as Harper Exhibit 4 or 8, 13:46:50	21	being Mallinckrodt, "send a suspicious order 13:48:55
22	excuse me. 13:46:52	22	report to the DEA monthly." 13:48:57
23	And this is a for the 13:46:56	23	Correct? 13:48:59
24	record, this document ends in Bates 419810, 13:47:00	24	A. Correct. 13:48:59
25	and this is a December 14, 2007, e-mail from 13:47:06	25	Q. Did you ever review any of 13:49:00
	D 221		D 222
	Page 231		Page 233
,	12.47.10	,	•
1	you to Ms. Levy. 13:47:10	1	those reports prior to the time of this 13:49:02
2	Is that correct? 13:47:12	2	those reports prior to the time of this 13:49:02 e-mail? 13:49:07
2 3	Is that correct? 13:47:12 A. Yes. 13:47:12	2	those reports prior to the time of this 13:49:02 e-mail? 13:49:07  A. I'm not certain. 13:49:07
2 3 4	Is that correct? 13:47:12 A. Yes. 13:47:12 Q. And going down to the bottom of 13:47:15	2 3 4	those reports prior to the time of this 13:49:02 e-mail? 13:49:07 A. I'm not certain. 13:49:07 Q. Okay. Generally speaking, was 13:49:12
2 3 4 5	Is that correct? 13:47:12  A. Yes. 13:47:12  Q. And going down to the bottom of 13:47:15 this page, you indicate that you are 13:47:23	2 3 4 5	those reports prior to the time of this 13:49:02 e-mail? 13:49:07 A. I'm not certain. 13:49:07 Q. Okay. Generally speaking, was 13:49:12 it Mr. Rausch's responsibility to send these 13:49:13
2 3 4 5 6	Is that correct? 13:47:12  A. Yes. 13:47:12  Q. And going down to the bottom of 13:47:15 this page, you indicate that you are 13:47:23 receiving you have received the attached 13:47:29	2 3 4 5 6	those reports prior to the time of this e-mail?  13:49:07  A. I'm not certain.  13:49:07  Q. Okay. Generally speaking, was 13:49:12 it Mr. Rausch's responsibility to send these 13:49:13 reports to the DEA monthly? 13:49:14
2 3 4 5 6 7	Is that correct? 13:47:12  A. Yes. 13:47:12  Q. And going down to the bottom of 13:47:15 this page, you indicate that you are 13:47:23 receiving you have received the attached 13:47:29 memo as part of a training at a recent 13:47:33	2 3 4 5 6 7	those reports prior to the time of this e-mail?  13:49:07  A. I'm not certain.  13:49:07  Q. Okay. Generally speaking, was 13:49:12 it Mr. Rausch's responsibility to send these 13:49:13 reports to the DEA monthly?  13:49:14  A. Yes.  13:49:15
2 3 4 5 6 7 8	Is that correct? 13:47:12  A. Yes. 13:47:12  Q. And going down to the bottom of 13:47:15 this page, you indicate that you are 13:47:23 receiving you have received the attached 13:47:29 memo as part of a training at a recent 13:47:33 seminar. 13:47:35	2 3 4 5 6 7 8	those reports prior to the time of this e-mail?  13:49:07  A. I'm not certain. 13:49:07  Q. Okay. Generally speaking, was 13:49:12 it Mr. Rausch's responsibility to send these 13:49:13 reports to the DEA monthly? 13:49:14  A. Yes. 13:49:15  Q. Okay. And do you have an 13:49:16
2 3 4 5 6 7 8	Is that correct? 13:47:12  A. Yes. 13:47:12  Q. And going down to the bottom of 13:47:15 this page, you indicate that you are 13:47:23 receiving you have received the attached 13:47:29 memo as part of a training at a recent 13:47:33 seminar. 13:47:35  Do you see that? 13:47:35	2 3 4 5 6 7 8	those reports prior to the time of this e-mail?  13:49:07  A. I'm not certain. 13:49:07  Q. Okay. Generally speaking, was 13:49:12 it Mr. Rausch's responsibility to send these 13:49:13 reports to the DEA monthly? 13:49:14  A. Yes. 13:49:15  Q. Okay. And do you have an 13:49:16 understanding of well, earlier we were 13:49:19
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2 3 4 5 6 7 8 9 10	Is that correct? 13:47:12  A. Yes. 13:47:12  Q. And going down to the bottom of 13:47:15 this page, you indicate that you are 13:47:23 receiving you have received the attached 13:47:29 memo as part of a training at a recent 13:47:33 seminar. 13:47:35  Do you see that? 13:47:35  A. Yes. 13:47:36  Q. And the memo is what's 13:47:36	2 3 4 5 6 7 8 9 10	those reports prior to the time of this e-mail?  13:49:07  A. I'm not certain. 13:49:07  Q. Okay. Generally speaking, was 13:49:12 it Mr. Rausch's responsibility to send these 13:49:13 reports to the DEA monthly? 13:49:14  A. Yes. 13:49:15  Q. Okay. And do you have an 13:49:16 understanding of well, earlier we were 13:49:19 talking about the distinction between 13:49:22 peculiar and suspicious orders. 13:49:24
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Is that correct? 13:47:12  A. Yes. 13:47:12  Q. And going down to the bottom of 13:47:15 this page, you indicate that you are 13:47:23 receiving you have received the attached 13:47:29 memo as part of a training at a recent 13:47:33 seminar. 13:47:35  Do you see that? 13:47:35  A. Yes. 13:47:36  Q. And the memo is what's 13:47:36 contained in this attachment, and it's one of 13:47:38 the DEA guidance letters that we referred to 13:47:40 earlier today; is that correct? 13:47:42  A. Yes. 13:47:43  Q. And would it also be fair to 13:47:44 say that this is one of the Rannazzisi 13:47:46 letters that we referred to? Correct? 13:47:48  A. Yes. 13:47:50  Q. So as of December 5, 2007, or 13:47:53 no later than December 5, 2007, you were in 13:47:58 possession of one of the Rannazzisi letters 13:48:01	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	those reports prior to the time of this e-mail?  A. I'm not certain.  Q. Okay. Generally speaking, was 13:49:12 it Mr. Rausch's responsibility to send these 13:49:13 reports to the DEA monthly?  A. Yes.  13:49:15  Q. Okay. And do you have an 13:49:16 understanding of well, earlier we were 13:49:19 talking about the distinction between 13:49:22 peculiar and suspicious orders.  Do you recall that?  13:49:25  A. Yes.  13:49:25  Q. Is it your understanding that 13:49:26 these monthly reports being sent by 13:49:27 Mr. Rausch were a compilation of the peculiar 13:49:31 orders that Mallinckrodt had identified?  13:49:34  A. Yes.  13:49:36  Q. Okay. So in other words, it 13:49:38 wasn't necessarily the case that they were 13:49:40 that Mallinckrodt was sending any 13:49:42 notification of suspicious orders to DEA, 13:49:44
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Is that correct? 13:47:12  A. Yes. 13:47:12  Q. And going down to the bottom of 13:47:15 this page, you indicate that you are 13:47:23 receiving you have received the attached 13:47:29 memo as part of a training at a recent 13:47:33 seminar. 13:47:35  Do you see that? 13:47:35  A. Yes. 13:47:36  Q. And the memo is what's 13:47:36 contained in this attachment, and it's one of 13:47:38 the DEA guidance letters that we referred to 13:47:40 earlier today; is that correct? 13:47:42  A. Yes. 13:47:43  Q. And would it also be fair to 13:47:44 say that this is one of the Rannazzisi 13:47:46 letters that we referred to? Correct? 13:47:48  A. Yes. 13:47:50  Q. So as of December 5, 2007, or 13:47:53 no later than December 5, 2007, you were in 13:47:58 possession of one of the Rannazzisi letters 13:48:01 dated December September 27, 2006, 13:48:04	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	those reports prior to the time of this e-mail?  13:49:07  A. I'm not certain. 13:49:07  Q. Okay. Generally speaking, was 13:49:12 it Mr. Rausch's responsibility to send these 13:49:13 reports to the DEA monthly? 13:49:15  Q. Okay. And do you have an 13:49:16 understanding of well, earlier we were 13:49:19 talking about the distinction between 13:49:22 peculiar and suspicious orders. 13:49:25  A. Yes. 13:49:25  Q. Is it your understanding that 13:49:26 these monthly reports being sent by 13:49:27 Mr. Rausch were a compilation of the peculiar 13:49:31 orders that Mallinckrodt had identified? 13:49:36  Q. Okay. So in other words, it 13:49:38 wasn't necessarily the case that they were 13:49:40 that Mallinckrodt was sending any 13:49:42 notification of suspicious orders to DEA, 13:49:44 correct? 13:49:46

	ight, commaditional subject o		
	Page 234		Page 236
1	report that contained all the peculiar orders 13:49:49	1	sending reports as well, but the confirmed 13:51:41
2	that Mallinckrodt had identified, right? 13:49:51	2	suspicious orders to DEA were ten or less. 13:51:45
3	A. Correct. 13:49:53	3	Q. Right. 13:51:46
4	Q. Okay. And do you recall I 13:49:54	4	And as we discussed, the 13:51:47
5	know I've asked this question in another form 13:50:08	5	report the monthly reports were just the 13:51:49
6	or in a different way, but do you recall 13:50:11	6	peculiar orders that Mallinckrodt had 13:51:50
7	prior to December 5, 2007, whether or not 13:50:13	7	identified, correct? 13:51:52
8	Mallinckrodt had ever identified a suspicious 13:50:16	8	A. Correct. 13:51:52
9	order to the DEA? 13:50:18	9	Q. And not necessarily any or 13:51:53
10	A. Yes, I do recall. 13:50:20	10	not any suspicious orders, correct? 13:51:55
11	Q. You do recall instances in 13:50:22	11	A. Correct. 13:51:57
12	which Mallinckrodt identified a suspicious 13:50:24	12	Q. Okay. By the way, there's 13:51:58
13	order to the DEA? 13:50:26	13	reference made to someone by the name of Sean 13:52:07
14	A. Yes. 13:50:26	14	Welch. 13:52:10
15	Q. Okay. And when did that occur? 13:50:27	15	Do you see that? 13:52:10
16	A. So there was the case we talked 13:50:28	16	A. Yes. 13:52:11
17	about with the compounding pharmacy. 13:50:31	17	Q. Who is he? 13:52:12
18	Q. Okay. 13:50:34	18	A. He was a co-manager of customer 13:52:13
19	A. And there were several others, 13:50:35	19	service at that time. I believe Jim Rausch 13:52:19
20	but I don't recall the particulars of those 13:50:38	20	may have reported to him. 13:52:22
21	reports. 13:50:40	21	Q. Okay. Was he involved on the 13:52:25
22	Q. Fair enough. 13:50:41	22	SOM team as well? 13:52:27
23	So you do recall some instances 13:50:41	23	A. Only in terms of being kept 13:52:28
24	in which suspicious orders were reported to 13:50:45	24	informed of our activity. 13:52:36
25	Mallinckrodt prior to December 14, 2007? 13:50:48	25	Q. So he didn't have any 13:52:37
	, , , , , , , , , , , , , , , , , , ,		,
	Page 235		Page 237
1	A. Reported to the DEA? 13:50:52	1	day-to-day responsibility with respect to the 13:52:44
2	Q. Yes. 13:50:53	2	SOM program? 13:52:48
3			A. He did not. 13:52:49
	A. Yes, sir. 13:50:54	3	
4	Q. Okay. And approximately I 13:50:54	4	Q. Okay. And you also indicate, 13:52:49
	Q. Okay. And approximately I 13:50:54 know you've you don't know the exact 13:50:58		Q. Okay. And you also indicate, 13:52:49 going back to the bottom e-mail from you to 13:52:51
4	Q. Okay. And approximately I 13:50:54 know you've you don't know the exact amount, but you've given some examples. 13:51:00	4	Q. Okay. And you also indicate, 13:52:49 going back to the bottom e-mail from you to 13:52:51 Jim and Sean, you say that you received the 13:52:53
4 5	Q. Okay. And approximately I 13:50:54 know you've you don't know the exact 13:50:58 amount, but you've given some examples. 13:51:00 Do you know whether or not it 13:51:02	4 5	Q. Okay. And you also indicate, 13:52:49 going back to the bottom e-mail from you to 13:52:51 Jim and Sean, you say that you received the 13:52:53 attached memo as part of a training at a 13:52:56
4 5 6	Q. Okay. And approximately I 13:50:54 know you've you don't know the exact amount, but you've given some examples. 13:51:00	4 5 6	Q. Okay. And you also indicate, 13:52:49 going back to the bottom e-mail from you to 13:52:51 Jim and Sean, you say that you received the 13:52:53
4 5 6 7	Q. Okay. And approximately I 13:50:54 know you've you don't know the exact 13:50:58 amount, but you've given some examples. 13:51:00 Do you know whether or not it 13:51:02 was there were 10 instances or 50 13:51:04 instances? 13:51:06	4 5 6 7	Q. Okay. And you also indicate, 13:52:49 going back to the bottom e-mail from you to 13:52:51 Jim and Sean, you say that you received the 13:52:53 attached memo as part of a training at a 13:52:56 recent seminar. 13:52:58  Do you recall which seminar 13:52:59
4 5 6 7 8	Q. Okay. And approximately I 13:50:54 know you've you don't know the exact 13:50:58 amount, but you've given some examples. 13:51:00 Do you know whether or not it 13:51:02 was there were 10 instances or 50 13:51:04 instances? 13:51:06 Do you know approximately how 13:51:07	4 5 6 7 8	Q. Okay. And you also indicate, 13:52:49 going back to the bottom e-mail from you to 13:52:51 Jim and Sean, you say that you received the 13:52:53 attached memo as part of a training at a 13:52:56 recent seminar. 13:52:58  Do you recall which seminar 13:52:59 this was? 13:53:00
4 5 6 7 8 9	Q. Okay. And approximately I 13:50:54 know you've you don't know the exact amount, but you've given some examples. 13:51:00 Do you know whether or not it 13:51:02 was there were 10 instances or 50 13:51:04 instances? 13:51:06 Do you know approximately how 13:51:07 many suspicious orders Mallinckrodt reported 13:51:08	4 5 6 7 8	Q. Okay. And you also indicate, 13:52:49 going back to the bottom e-mail from you to 13:52:51 Jim and Sean, you say that you received the 13:52:53 attached memo as part of a training at a 13:52:56 recent seminar. 13:52:58  Do you recall which seminar 13:52:59
4 5 6 7 8 9	Q. Okay. And approximately I 13:50:54 know you've you don't know the exact 13:50:58 amount, but you've given some examples. 13:51:00 Do you know whether or not it 13:51:02 was there were 10 instances or 50 13:51:04 instances? 13:51:06 Do you know approximately how 13:51:07	4 5 6 7 8 9	Q. Okay. And you also indicate, 13:52:49 going back to the bottom e-mail from you to 13:52:51 Jim and Sean, you say that you received the 13:52:53 attached memo as part of a training at a 13:52:56 recent seminar. 13:52:58 Do you recall which seminar 13:52:59 this was? 13:53:00 A. Yes, it was the Buzzeo. 13:53:00 Q. Okay. So the 2007 Buzzeo 13:53:02
4 5 6 7 8 9 10	Q. Okay. And approximately I 13:50:54 know you've you don't know the exact amount, but you've given some examples. 13:51:00 Do you know whether or not it 13:51:02 was there were 10 instances or 50 13:51:04 instances? 13:51:06 Do you know approximately how 13:51:07 many suspicious orders Mallinckrodt reported 13:51:08	4 5 6 7 8 9 10	Q. Okay. And you also indicate, 13:52:49 going back to the bottom e-mail from you to 13:52:51 Jim and Sean, you say that you received the 13:52:53 attached memo as part of a training at a 13:52:56 recent seminar. 13:52:58  Do you recall which seminar 13:52:59 this was? 13:53:00  A. Yes, it was the Buzzeo. 13:53:00
4 5 6 7 8 9 10 11 12	Q. Okay. And approximately I 13:50:54 know you've you don't know the exact 13:50:58 amount, but you've given some examples. 13:51:00 Do you know whether or not it 13:51:02 was there were 10 instances or 50 13:51:04 instances? 13:51:06 Do you know approximately how 13:51:07 many suspicious orders Mallinckrodt reported 13:51:08 to the DEA? 13:51:09	4 5 6 7 8 9 10 11	Q. Okay. And you also indicate, 13:52:49 going back to the bottom e-mail from you to 13:52:51 Jim and Sean, you say that you received the 13:52:53 attached memo as part of a training at a 13:52:56 recent seminar. 13:52:58 Do you recall which seminar 13:52:59 this was? 13:53:00 A. Yes, it was the Buzzeo. 13:53:00 Q. Okay. So the 2007 Buzzeo 13:53:02
4 5 6 7 8 9 10 11 12 13	Q. Okay. And approximately I 13:50:54 know you've you don't know the exact amount, but you've given some examples. 13:51:00 Do you know whether or not it 13:51:02 was there were 10 instances or 50 13:51:04 instances? 13:51:06 Do you know approximately how 13:51:07 many suspicious orders Mallinckrodt reported 13:51:08 to the DEA? 13:51:09 A. I will approximate it to be ten 13:51:10	4 5 6 7 8 9 10 11 12 13	Q. Okay. And you also indicate, 13:52:49 going back to the bottom e-mail from you to 13:52:51 Jim and Sean, you say that you received the 13:52:53 attached memo as part of a training at a 13:52:56 recent seminar. 13:52:58  Do you recall which seminar 13:52:59 this was? 13:53:00  A. Yes, it was the Buzzeo. 13:53:00  Q. Okay. So the 2007 Buzzeo 13:53:02 conference, correct? 13:53:05
4 5 6 7 8 9 10 11 12 13 14	Q. Okay. And approximately I 13:50:54 know you've you don't know the exact amount, but you've given some examples. 13:51:00 Do you know whether or not it 13:51:02 was there were 10 instances or 50 13:51:04 instances? 13:51:06 Do you know approximately how 13:51:07 many suspicious orders Mallinckrodt reported 13:51:08 to the DEA? 13:51:09 A. I will approximate it to be ten 13:51:10 or less. 13:51:15	4 5 6 7 8 9 10 11 12 13 14	Q. Okay. And you also indicate, 13:52:49 going back to the bottom e-mail from you to 13:52:51 Jim and Sean, you say that you received the 13:52:53 attached memo as part of a training at a 13:52:56 recent seminar. 13:52:58  Do you recall which seminar 13:52:59 this was? 13:53:00  A. Yes, it was the Buzzeo. 13:53:00  Q. Okay. So the 2007 Buzzeo 13:53:02 conference, correct? 13:53:05  We'll just assuming I 13:53:08
4 5 6 7 8 9 10 11 12 13 14 15	Q. Okay. And approximately I 13:50:54 know you've you don't know the exact amount, but you've given some examples. 13:51:00 Do you know whether or not it 13:51:02 was there were 10 instances or 50 13:51:04 instances? 13:51:06 Do you know approximately how 13:51:07 many suspicious orders Mallinckrodt reported 13:51:08 to the DEA? 13:51:09 A. I will approximate it to be ten 13:51:10 or less. 13:51:15 Q. Okay. So in the entire time 13:51:16	4 5 6 7 8 9 10 11 12 13 14 15	Q. Okay. And you also indicate, 13:52:49 going back to the bottom e-mail from you to 13:52:51 Jim and Sean, you say that you received the 13:52:53 attached memo as part of a training at a 13:52:56 recent seminar. 13:52:58  Do you recall which seminar 13:52:59 this was? 13:53:00  A. Yes, it was the Buzzeo. 13:53:00  Q. Okay. So the 2007 Buzzeo 13:53:02 conference, correct? 13:53:05  We'll just assuming I 13:53:08 mean, the e-mail is dated 13:53:10
4 5 6 7 8 9 10 11 12 13 14 15	Q. Okay. And approximately I 13:50:54 know you've you don't know the exact amount, but you've given some examples. 13:51:00 Do you know whether or not it 13:51:02 was there were 10 instances or 50 13:51:04 instances? 13:51:06 Do you know approximately how 13:51:07 many suspicious orders Mallinckrodt reported 13:51:08 to the DEA? 13:51:09 A. I will approximate it to be ten 13:51:10 or less. 13:51:15 Q. Okay. So in the entire time 13:51:16 that you were a part of the DEA compliance 13:51:17	4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Okay. And you also indicate, 13:52:49 going back to the bottom e-mail from you to 13:52:51 Jim and Sean, you say that you received the 13:52:53 attached memo as part of a training at a 13:52:56 recent seminar. 13:52:58  Do you recall which seminar 13:52:59 this was? 13:53:00  A. Yes, it was the Buzzeo. 13:53:00  Q. Okay. So the 2007 Buzzeo 13:53:02 conference, correct? 13:53:05  We'll just assuming I 13:53:08 mean, the e-mail is dated 13:53:10  A. Yes, yes, yes. 13:53:11
4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Okay. And approximately I 13:50:54 know you've you don't know the exact amount, but you've given some examples. 13:51:00 Do you know whether or not it 13:51:02 was there were 10 instances or 50 13:51:04 instances? 13:51:06 Do you know approximately how 13:51:07 many suspicious orders Mallinckrodt reported 13:51:08 to the DEA? 13:51:09 A. I will approximate it to be ten 13:51:10 or less. 13:51:15 Q. Okay. So in the entire time 13:51:16 that you were a part of the DEA compliance 13:51:17 team, you recall ten orders being 13:51:21	4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Okay. And you also indicate, 13:52:49 going back to the bottom e-mail from you to 13:52:51 Jim and Sean, you say that you received the 13:52:53 attached memo as part of a training at a 13:52:56 recent seminar. 13:52:58  Do you recall which seminar 13:52:59 this was? 13:53:00  A. Yes, it was the Buzzeo. 13:53:00  Q. Okay. So the 2007 Buzzeo 13:53:02 conference, correct? 13:53:05  We'll just assuming I 13:53:08 mean, the e-mail is dated 13:53:10  A. Yes, yes, yes. 13:53:11  Q December 5th. 13:53:11
4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q. Okay. And approximately I 13:50:54 know you've you don't know the exact amount, but you've given some examples. 13:51:00 Do you know whether or not it 13:51:02 was there were 10 instances or 50 13:51:04 instances? 13:51:06 Do you know approximately how 13:51:07 many suspicious orders Mallinckrodt reported 13:51:08 to the DEA? 13:51:09 A. I will approximate it to be ten 13:51:10 or less. 13:51:15 Q. Okay. So in the entire time 13:51:16 that you were a part of the DEA compliance 13:51:17 team, you recall ten orders being 13:51:21 identified approximately ten orders being 13:51:24	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. Okay. And you also indicate, 13:52:49 going back to the bottom e-mail from you to 13:52:51 Jim and Sean, you say that you received the 13:52:53 attached memo as part of a training at a 13:52:56 recent seminar. 13:52:58  Do you recall which seminar 13:52:59 this was? 13:53:00  A. Yes, it was the Buzzeo. 13:53:00  Q. Okay. So the 2007 Buzzeo 13:53:02 conference, correct? 13:53:05  We'll just assuming I 13:53:08 mean, the e-mail is dated 13:53:11  A. Yes, yes, yes. 13:53:11  Q December 5th. 13:53:11  A. Because it says "recent," yes. 13:53:12
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. Okay. And approximately I 13:50:54 know you've you don't know the exact amount, but you've given some examples. 13:51:00 Do you know whether or not it 13:51:02 was there were 10 instances or 50 13:51:04 instances? 13:51:06 Do you know approximately how 13:51:07 many suspicious orders Mallinckrodt reported 13:51:08 to the DEA? 13:51:09 A. I will approximate it to be ten 13:51:10 or less. 13:51:15 Q. Okay. So in the entire time 13:51:16 that you were a part of the DEA compliance 13:51:17 team, you recall ten orders being 13:51:21 identified approximately ten orders being 13:51:24 identified as suspicious to the DEA? 13:51:25	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. Okay. And you also indicate, 13:52:49 going back to the bottom e-mail from you to 13:52:51 Jim and Sean, you say that you received the 13:52:53 attached memo as part of a training at a 13:52:56 recent seminar. 13:52:58  Do you recall which seminar 13:52:59 this was? 13:53:00  A. Yes, it was the Buzzeo. 13:53:00  Q. Okay. So the 2007 Buzzeo 13:53:02 conference, correct? 13:53:05  We'll just assuming I 13:53:08 mean, the e-mail is dated 13:53:11  A. Yes, yes, yes. 13:53:11  Q December 5th. 13:53:11  A. Because it says "recent," yes. 13:53:12  Q. Right. 13:53:15
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. Okay. And approximately I 13:50:54 know you've you don't know the exact amount, but you've given some examples. 13:51:00 Do you know whether or not it 13:51:02 was there were 10 instances or 50 13:51:04 instances? 13:51:06 Do you know approximately how 13:51:07 many suspicious orders Mallinckrodt reported 13:51:08 to the DEA? 13:51:09 A. I will approximate it to be ten 13:51:10 or less. 13:51:15 Q. Okay. So in the entire time 13:51:16 that you were a part of the DEA compliance 13:51:17 team, you recall ten orders being 13:51:24 identified approximately ten orders being 13:51:25 MR. O'CONNOR: Objection to 13:51:27	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. Okay. And you also indicate, 13:52:49 going back to the bottom e-mail from you to 13:52:51 Jim and Sean, you say that you received the 13:52:53 attached memo as part of a training at a 13:52:56 recent seminar. 13:52:58  Do you recall which seminar 13:52:59 this was? 13:53:00  A. Yes, it was the Buzzeo. 13:53:00  Q. Okay. So the 2007 Buzzeo 13:53:02 conference, correct? 13:53:05  We'll just assuming I 13:53:08 mean, the e-mail is dated 13:53:11  A. Yes, yes, yes. 13:53:11  Q December 5th. 13:53:11  A. Because it says "recent," yes. 13:53:12  Q. Right. 13:53:15  A. Yes, sir. 13:53:15  Q. And the Buzzeo conference was 13:53:15
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Okay. And approximately I 13:50:54 know you've you don't know the exact amount, but you've given some examples.  Do you know whether or not it 13:51:02 was there were 10 instances or 50 13:51:04 instances? 13:51:06  Do you know approximately how 13:51:07 many suspicious orders Mallinckrodt reported 13:51:08 to the DEA? 13:51:09  A. I will approximate it to be ten 13:51:10 or less. 13:51:15  Q. Okay. So in the entire time 13:51:16 that you were a part of the DEA compliance 13:51:17 team, you recall ten orders being 13:51:21 identified approximately ten orders being 13:51:25  MR. O'CONNOR: Objection to 13:51:27 form. 13:51:27 THE WITNESS: Prior to this? 13:51:27	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Okay. And you also indicate, 13:52:49 going back to the bottom e-mail from you to 13:52:51 Jim and Sean, you say that you received the 13:52:53 attached memo as part of a training at a 13:52:56 recent seminar. 13:52:58  Do you recall which seminar 13:52:59 this was? 13:53:00  A. Yes, it was the Buzzeo. 13:53:00  Q. Okay. So the 2007 Buzzeo 13:53:02 conference, correct? 13:53:05  We'll just assuming I 13:53:08 mean, the e-mail is dated 13:53:11  Q December 5th. 13:53:11  A. Yes, yes, yes. 13:53:11  A. Because it says "recent," yes. 13:53:12  Q. Right. 13:53:15  A. Yes, sir. 13:53:15  Q. And the Buzzeo conference was 13:53:16 an annual occurrence, generally speaking, in 13:53:16
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Okay. And approximately I 13:50:54 know you've you don't know the exact amount, but you've given some examples. 13:51:00 Do you know whether or not it 13:51:02 was there were 10 instances or 50 13:51:04 instances? 13:51:06 Do you know approximately how 13:51:07 many suspicious orders Mallinckrodt reported 13:51:08 to the DEA? 13:51:09 A. I will approximate it to be ten 13:51:10 or less. 13:51:15 Q. Okay. So in the entire time 13:51:16 that you were a part of the DEA compliance 13:51:17 team, you recall ten orders being 13:51:21 identified approximately ten orders being 13:51:24 identified as suspicious to the DEA? 13:51:25 MR. O'CONNOR: Objection to 13:51:27 form. 13:51:27 THE WITNESS: Prior to this? 13:51:36	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Okay. And you also indicate, 13:52:49 going back to the bottom e-mail from you to 13:52:51 Jim and Sean, you say that you received the 13:52:53 attached memo as part of a training at a 13:52:56 recent seminar. 13:52:58  Do you recall which seminar 13:52:59 this was? 13:53:00  A. Yes, it was the Buzzeo. 13:53:00  Q. Okay. So the 2007 Buzzeo 13:53:02 conference, correct? 13:53:05  We'll just assuming I 13:53:08 mean, the e-mail is dated 13:53:11  Q December 5th. 13:53:11  A. Because it says "recent," yes. 13:53:12  Q. Right. 13:53:15  A. Yes, sir. 13:53:15  Q. And the Buzzeo conference was 13:53:15 an annual occurrence, generally speaking, in 13:53:16 the fall of each year, correct? 13:53:19
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Okay. And approximately I 13:50:54 know you've you don't know the exact amount, but you've given some examples.  Do you know whether or not it 13:51:02 was there were 10 instances or 50 13:51:04 instances? 13:51:06  Do you know approximately how 13:51:07 many suspicious orders Mallinckrodt reported 13:51:08 to the DEA? 13:51:09  A. I will approximate it to be ten 13:51:10 or less. 13:51:15  Q. Okay. So in the entire time 13:51:16 that you were a part of the DEA compliance 13:51:17 team, you recall ten orders being 13:51:21 identified approximately ten orders being 13:51:25  MR. O'CONNOR: Objection to 13:51:27 form. 13:51:27 THE WITNESS: Prior to this? 13:51:27	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Okay. And you also indicate, 13:52:49 going back to the bottom e-mail from you to 13:52:51 Jim and Sean, you say that you received the 13:52:53 attached memo as part of a training at a 13:52:56 recent seminar. 13:52:58  Do you recall which seminar 13:52:59 this was? 13:53:00  A. Yes, it was the Buzzeo. 13:53:00  Q. Okay. So the 2007 Buzzeo 13:53:02 conference, correct? 13:53:05  We'll just assuming I 13:53:08 mean, the e-mail is dated 13:53:10  A. Yes, yes, yes. 13:53:11  Q December 5th. 13:53:11  A. Because it says "recent," yes. 13:53:12  Q. Right. 13:53:15  A. Yes, sir. 13:53:15  Q. And the Buzzeo conference was 13:53:16 the fall of each year, correct? 13:53:19

	5 1		<b>4</b>
	Page 238		Page 240
1	that well, did you ever receive this 13:53:24	1	agree with me that the actual amount of 13:55:07
2	correspondence from Mr. Rannazzisi prior to 13:53:27	2	suspicious orders that were reported to the 13:55:09
3	the 2007 Buzzeo conference? 13:53:31	3	DEA prior to 2007 was a very low percentage 13:55:10
4	A. No. 13:53:34	4	relative to all peculiar orders reported to 13:55:16
5	Q. Okay. In going back to the ten 13:53:35	5	the DEA, correct? 13:55:18
6	instances in which you recall in which a 13:53:46	6	MR. O'CONNOR: Objection to 13:55:19
7	suspicious order was identified, certainly 13:53:50	7	form. 13:55:19
8	it's more than one, but I just want to make 13:53:52	8	THE WITNESS: Yes, correct. 13:55:19
9	sure I understand. 13:53:56	9	QUESTIONS BY MR. KO: 13:55:20
10	Did you say approximately ten, 13:53:56	10	Q. Okay. We can set this one 13:55:21
11	or do you think it was ten or less? 13:53:58	11	aside. 13:55:29
12	A. Ten or less. 13:53:59	12	(Mallinckrodt-Harper Exhibit 10 13:55:29
13	Q. Ten or less. 13:54:00	13	marked for identification.) 13:55:30
14	And do you recall if it was 13:54:01	14	QUESTIONS BY MR. KO: 13:55:30
15	five, or where in the spectrum between one 13:54:03	15	Q. Want to now turn your attention 13:55:30
16	and ten? 13:54:06	16	to what's going to be marked as exhibit 13:55:31
17	A. I'm sorry, I can't recall. I 13:54:07	17	Harper Exhibit 10. 13:55:33
18	really can't recall. 13:54:09	18	And for the record, this 13:55:39
19	Q. Would it be fair to say, 13:54:09	19	document ends in Bates 7146630. 13:55:40
20	relative to all the peculiar orders that you 13:54:11	20	And this appears to be if 13:55:56
21	had reported to you on a monthly basis to the 13:54:13	21	you look at the bottom e-mail on the first 13:55:57
22	DEA, that the identification of a suspicious 13:54:16	22	page, there's a reference made to an e-mail 13:56:00
23	order was extremely rare given that number? 13:54:19	23	you send to several people on January 4, 13:56:04
24	MR. O'CONNOR: Objection to 13:54:22	24	2008? 13:56:09
25	form. 13:54:22	25	Do you see that? 13:56:09
	Page 239		Page 241
1	THE WITNESS: If we can say 13:54:22	1	A. Yes. 13:56:10
2	extremely rare was a low percentage, 13:54:24	2	Q. Any reason to dispute or any 13:56:11
3	if you don't mind that term, yes. 13:54:26	3	reason to dispute whether or not you sent 13:56:14
4	Yes. 13:54:28	4	this letter or e-mail? 13:56:16
5	QUESTIONS BY MR. KO: 13:54:29	5	A. No. 13:56:18
6	Q. Well, in these peculiar 13:54:29	6	Q. Okay. And on this particular 13:56:19
7	these monthly peculiar order reports that Jim 13:54:30	7	e-mail, you are attaching another memo/DEA 13:56:24
8	Rausch was sending to the DEA, did you have 13:54:33	8	guidance letter; is that correct? 13:56:31
9	any understanding of how many orders were 13:54:35	9	A. Yes. 13:56:33
10	included in that report? 13:54:36	10	Q. And this is separate and apart 13:56:34
11	A. I did not. 13:54:38	11	from the prior Rannazzisi letter that we 13:56:39
12	Q. Okay. There were quite a few, 13:54:40	12	discussed. This appears to be another one, 13:56:41
13	weren't there? 13:54:42	13	dated December 27, 2007, correct? 13:56:43
14	MR. O'CONNOR: Objection to 13:54:43	14	A. Correct. 13:56:46
15	form. 13:54:44	15	Q. And you received this you 13:56:46
16	THE WITNESS: I don't know if 13:54:44	16	actually received this correspondence, 13:56:49
17	this was the report that included the 13:54:47	17	correct? 13:56:51
17		18	A. Correct. 13:56:51
18	dosage form orders out of Hobart or if 13:54:51	1 - 0	
	dosage form orders out of Hobart or if 13:54:51 this was a separate report that Jim 13:54:54	19	Q. Directly from Mr. Rannazzisi? 13:56:51
18	-		<ul><li>Q. Directly from Mr. Rannazzisi? 13:56:51</li><li>A. Yes. 13:56:54</li></ul>
18 19	this was a separate report that Jim 13:54:54	19	•
18 19 20	this was a separate report that Jim 13:54:54 Rausch was sending for the bulk API 13:54:55	19 20	A. Yes. 13:56:54
18 19 20 21	this was a separate report that Jim 13:54:54 Rausch was sending for the bulk API 13:54:55 orders. 13:55:00	19 20 21	A. Yes. 13:56:54 Q. Okay. And turning back to 13:56:55
18 19 20 21 22	this was a separate report that Jim 13:54:54 Rausch was sending for the bulk API 13:54:55 orders. 13:55:00  QUESTIONS BY MR. KO: 13:55:00	19 20 21 22	A. Yes. 13:56:54 Q. Okay. And turning back to 13:56:55 the to your e-mail, you indicate that the 13:57:00

	Page 242		Page 244
1	as distributors in terms of suspicious order 13:57:20	1	the instructions set forth in that letter, 13:58:56
2	monitoring obligations. 13:57:23	2	correct? 13:58:58
3	Did I read that correctly? 13:57:23	3	MR. O'CONNOR: Objection to 13:58:58
4	A. Yes. 13:57:24	4	form. 13:58:59
5	Q. So is it fair to say that as of 13:57:24	5	THE WITNESS: Could you please 13:58:59
6	January 4, 2008, you understand that the DEA 13:57:28	6	repeat that question? I'm sorry. 13:59:01
7	expected compliance with the standards set 13:57:31	7	QUESTIONS BY MR. KO: 13:59:02
8	forth in this letter? Correct? 13:57:35	8	Q. Sure. 13:59:03
9	MR. O'CONNOR: Objection to 13:57:36	9	You certainly believed that 13:59:03
10	form. 13:57:36	10	Mallinckrodt could not follow the 13:59:07
11	THE WITNESS: So these aren't 13:57:36	11	instructions set forth in that letter, 13:59:10
12	regulations. It's a guidance. 13:57:39	12	correct? 13:59:12
13	QUESTIONS BY MR. KO: 13:57:40	13	MR. O'CONNOR: Objection to 13:59:13
14	Q. Sure. 13:57:41	14	form. 13:59:13
15	A. So, yes, we understood that 13:57:41	15	THE WITNESS: I did not believe 13:59:13
16	this was additional guidance on SOM. 13:57:43	16	that. 13:59:14
17	Q. And my question was whether or 13:57:46	17	QUESTIONS BY MR. KO: 13:59:14
18	not you understood that as of January 4, 13:57:49	18	Q. Right. 13:59:15
19	2008, you understood that the DEA expected 13:57:52	19	You believed that Mallinckrodt 13:59:15
20	compliance with the standards set forth in 13:57:56	20	should follow the instructions set forth in 13:59:17
21	that letter. 13:57:58	21	that letter, correct? 13:59:19
22	MR. O'CONNOR: Objection to 13:57:59	22	A. Correct. 13:59:20
23	form. 13:57:59	23	Q. Thank you. 13:59:21
24	THE WITNESS: No. 13:57:59	24	A. Yes. 13:59:22
25		25	Q. That was an inartful question 13:59:22
<u> </u>	Page 243		Page 245
1	QUESTIONS BY MR. KO: 13:58:00	1	by me. I apologize. 13:59:24
2	Q. So you believed that the things 13:58:00	2	Now, going back to the bottom 13:59:26
3	set forth in this letter you did not 13:58:02	3	of that first page, you also reference 13:59:37
4	necessarily have to comply with? 13:58:04	4	another well, you reference a Federal 13:59:41
5	A. No. 13:58:06	5	Register Notice. 13:59:41
6	Q. Okay. You believe you did not 13:58:06	6	Do you see that? 13:59:44
7	have to comply with with the instructions 13:58:09	7	A. Yes. 13:59:44
8	as sent out by Mr. Rannazzisi on 13:58:14	8	Q. 72 FR 36487. 13:59:44
9	A. So this is another guidance 13:58:18	9	And I believe that's a 13:59:51
10	meant for industry which we attempted to 13:58:20	10	reference to the Southwood Federal Register 13:59:51
	incorporate into our program. But this was 13:58:23		Notice that we discussed earlier today, 13:59:53
11	meorporate into our program. But tills was 15.58.25	11 12	correct? 13:59:55
112	not it quotes the regulations, but this 12.59.27		15:39:33
12	not it quotes the regulations, but this 13:58:27		A Vos it is 12.50.55
13	was not promulgated in CFR 21. 13:58:30	13	A. Yes, it is. 13:59:55
13 14	was not promulgated in CFR 21. 13:58:30 Q. I understand that and I I 13:58:34	13 14	Q. Okay. So again, as of January 13:59:57
13 14 15	was not promulgated in CFR 21. 13:58:30  Q. I understand that and I I 13:58:34  very clearly under the distinction that 13:58:35	13 14 15	Q. Okay. So again, as of January 13:59:57 4, 2008, you understood that the DEA was 13:59:59
13 14 15 16	was not promulgated in CFR 21. 13:58:30  Q. I understand that and I I 13:58:34  very clearly under the distinction that 13:58:35  you're trying to make, and my question simply 13:58:37	13 14 15 16	Q. Okay. So again, as of January 13:59:57 4, 2008, you understood that the DEA was 13:59:59 instructing you to read, review and follow 14:00:05
13 14 15 16 17	was not promulgated in CFR 21. 13:58:30 Q. I understand that and I I 13:58:34 very clearly under the distinction that 13:58:35 you're trying to make, and my question simply 13:58:37 was whether or not you believed you were 13:58:39	13 14 15 16 17	Q. Okay. So again, as of January 13:59:57 4, 2008, you understood that the DEA was 13:59:59 instructing you to read, review and follow 14:00:05 the guidelines set forth in that Federal 14:00:11
13 14 15 16 17 18	was not promulgated in CFR 21. 13:58:30 Q. I understand that and I I 13:58:34 very clearly under the distinction that 13:58:35 you're trying to make, and my question simply 13:58:37 was whether or not you believed you were 13:58:39 expected to comply with the instructions set 13:58:42	13 14 15 16 17 18	Q. Okay. So again, as of January 13:59:57 4, 2008, you understood that the DEA was 13:59:59 instructing you to read, review and follow 14:00:05 the guidelines set forth in that Federal 14:00:11 Register Notice, correct? 14:00:13
13 14 15 16 17 18	was not promulgated in CFR 21. 13:58:30 Q. I understand that and I I 13:58:34 very clearly under the distinction that 13:58:35 you're trying to make, and my question simply 13:58:37 was whether or not you believed you were 13:58:39 expected to comply with the instructions set 13:58:42 forth in that letter. 13:58:45	13 14 15 16 17 18 19	Q. Okay. So again, as of January 13:59:57 4, 2008, you understood that the DEA was 13:59:59 instructing you to read, review and follow 14:00:05 the guidelines set forth in that Federal 14:00:11 Register Notice, correct? 14:00:13 MR. O'CONNOR: Objection to 14:00:14
13 14 15 16 17 18 19 20	was not promulgated in CFR 21. 13:58:30  Q. I understand that and I I 13:58:34  very clearly under the distinction that 13:58:35  you're trying to make, and my question simply 13:58:37  was whether or not you believed you were 13:58:39  expected to comply with the instructions set 13:58:42  forth in that letter. 13:58:45  MR. O'CONNOR: Same objection. 13:58:45	13 14 15 16 17 18 19 20	Q. Okay. So again, as of January 13:59:57 4, 2008, you understood that the DEA was 13:59:59 instructing you to read, review and follow 14:00:05 the guidelines set forth in that Federal 14:00:11 Register Notice, correct? 14:00:13 MR. O'CONNOR: Objection to 14:00:14 form. 14:00:14
13 14 15 16 17 18 19 20 21	was not promulgated in CFR 21. 13:58:30  Q. I understand that and I I 13:58:34  very clearly under the distinction that 13:58:35  you're trying to make, and my question simply 13:58:37  was whether or not you believed you were 13:58:39  expected to comply with the instructions set 13:58:42  forth in that letter. 13:58:45  MR. O'CONNOR: Same objection. 13:58:45  THE WITNESS: Yes. 13:58:46	13 14 15 16 17 18 19 20 21	Q. Okay. So again, as of January 13:59:57 4, 2008, you understood that the DEA was 13:59:59 instructing you to read, review and follow 14:00:05 the guidelines set forth in that Federal 14:00:11 Register Notice, correct? 14:00:13 MR. O'CONNOR: Objection to 14:00:14 form. 14:00:14 THE WITNESS: So this is a 14:00:14
13 14 15 16 17 18 19 20 21 22	was not promulgated in CFR 21. 13:58:30 Q. I understand that and I I 13:58:35 very clearly under the distinction that 13:58:35 you're trying to make, and my question simply 13:58:37 was whether or not you believed you were 13:58:39 expected to comply with the instructions set 13:58:42 forth in that letter. 13:58:45  MR. O'CONNOR: Same objection. 13:58:45 THE WITNESS: Yes. 13:58:46 QUESTIONS BY MR. KO: 13:58:51	13 14 15 16 17 18 19 20 21 22	Q. Okay. So again, as of January 13:59:57 4, 2008, you understood that the DEA was 13:59:59 instructing you to read, review and follow 14:00:05 the guidelines set forth in that Federal 14:00:11 Register Notice, correct? 14:00:13 MR. O'CONNOR: Objection to 14:00:14 form. 14:00:14 THE WITNESS: So this is a 14:00:14 guidance, and it referenced 14:00:16
13 14 15 16 17 18 19 20 21 22 23	was not promulgated in CFR 21. 13:58:30 Q. I understand that and I I 13:58:34 very clearly under the distinction that 13:58:35 you're trying to make, and my question simply 13:58:37 was whether or not you believed you were 13:58:39 expected to comply with the instructions set 13:58:42 forth in that letter. 13:58:45  MR. O'CONNOR: Same objection. 13:58:45 THE WITNESS: Yes. 13:58:46  QUESTIONS BY MR. KO: 13:58:51 Q. All right. You certainly did 13:58:51	13 14 15 16 17 18 19 20 21 22 23	Q. Okay. So again, as of January 13:59:57 4, 2008, you understood that the DEA was 13:59:59 instructing you to read, review and follow 14:00:05 the guidelines set forth in that Federal 14:00:11 Register Notice, correct? 14:00:13 MR. O'CONNOR: Objection to 14:00:14 form. 14:00:14 THE WITNESS: So this is a 14:00:14 guidance, and it referenced 14:00:16 Southwood's, and Southwood's was the 14:00:18
13 14 15 16 17 18 19 20 21 22	was not promulgated in CFR 21. 13:58:30 Q. I understand that and I I 13:58:35 very clearly under the distinction that 13:58:35 you're trying to make, and my question simply 13:58:37 was whether or not you believed you were 13:58:39 expected to comply with the instructions set 13:58:42 forth in that letter. 13:58:45  MR. O'CONNOR: Same objection. 13:58:45 THE WITNESS: Yes. 13:58:46 QUESTIONS BY MR. KO: 13:58:51	13 14 15 16 17 18 19 20 21 22	Q. Okay. So again, as of January 13:59:57 4, 2008, you understood that the DEA was 13:59:59 instructing you to read, review and follow 14:00:05 the guidelines set forth in that Federal 14:00:11 Register Notice, correct? 14:00:13 MR. O'CONNOR: Objection to 14:00:14 form. 14:00:14 THE WITNESS: So this is a 14:00:14 guidance, and it referenced 14:00:16

	Page 246		Page 248
1	distributors, not directly to 14:00:24	1	11101100
2	pharmacies. 14:00:26	2	Actually, sorry, there was one 14:01:57
3	QUESTIONS BY MR. KO: 14:00:26	3	more question, but maybe you don't need to 14:02:09
4	Q. And I understand the 14:00:26	4	consult with that actual exhibit. 14:02:12
5	distinction being made, but there were 14:00:28	5	Do you know who Kyle Wright is? 14:02:13
6	certain statements made in Southwood, 14:00:30	6	A. Yes. 14:02:15
7	correct, as we discussed earlier? 14:00:32	7	Q. He was at DEA, correct? 14:02:17
8	A. Yes. 14:00:33	8	A. Yes. 14:02:19
9	Q. And it was your understanding 14:00:33	9	Q. And do you recall meeting with 14:02:20
10	that there were certain principles to follow 14:00:36	10	him at various DEA meetings or conferences? 14:02:25
11	as a result of the statements set forth in 14:00:42	11	A. Yes. 14:02:28
12	Southwood, or did you believe that you did 14:00:43	12	Q. And did you meet with him prior 14:02:29
13	not have to follow those? 14:00:45	13	to or after the receipt of that e-mail, or do 14:02:33
14	MR. O'CONNOR: Objection to 14:00:46	14	you not recall? 14:02:36
15	form. 14:00:47	15	A. I do not recall. 14:02:37
16	THE WITNESS: Certain 14:00:47	16	Q. Do you recall meeting with him 14:02:38
17	principles, yes. 14:00:48	17	in the 2011 time period? 14:02:39
18	QUESTIONS BY MR. KO: 14:00:49	18	A. I'm sorry, I remember meeting 14:02:40
19	Q. So in other words, there were 14:00:49	19	with him at a conference, but not the date. 14:02:42
20	certain principles that you believe you had 14:00:50	20	Q. Sure. 14:02:44
21	to follow as a result of the Southwood 14:00:52	21	And do you recall the substance 14:02:47
22	Federal Register Notice, correct? 14:00:54	22	of the conversation you had with Mr. Wright? 14:02:51
23	MR. O'CONNOR: Objection. 14:00:55	23	A. Yes. 14:02:53
24	Form. 14:00:55	24	Q. And what was the substance of 14:02:55
25	THE WITNESS: Yes. Correct. 14:00:55	25	the conversation you had with him? 14:02:57
	Page 247		Page 249
1	QUESTIONS BY MR. KO: 14:00:57	1	A. He had been speaking from the 14:02:58
1 2	QUESTIONS BY MR. KO: 14:00:57 Q. So the letters that you had 14:01:06	1 2	
			A. He had been speaking from the 14:02:58
2	Q. So the letters that you had 14:01:06	2	A. He had been speaking from the 14:02:58 podium about suspicious order monitoring, and 14:03:01
2 3	Q. So the letters that you had 14:01:06 received from Mr. Rannazzisi, as we described 14:01:07	2	A. He had been speaking from the 14:02:58 podium about suspicious order monitoring, and 14:03:01 I asked to speak to him during a breakout 14:03:06
2 3 4	Q. So the letters that you had 14:01:06 received from Mr. Rannazzisi, as we described 14:01:07 were the Rannazzisi letters, just so the 14:01:09	2 3 4	A. He had been speaking from the podium about suspicious order monitoring, and 14:03:01 I asked to speak to him during a breakout 14:03:06 session to talk about the attributes of our 14:03:09
2 3 4 5	Q. So the letters that you had 14:01:06 received from Mr. Rannazzisi, as we described 14:01:07 were the Rannazzisi letters, just so the 14:01:09 record is clear, those are two letters that 14:01:13	2 3 4 5	A. He had been speaking from the podium about suspicious order monitoring, and 14:03:01 I asked to speak to him during a breakout 14:03:06 session to talk about the attributes of our program. 14:03:11
2 3 4 5 6	Q. So the letters that you had 14:01:06 received from Mr. Rannazzisi, as we described 14:01:07 were the Rannazzisi letters, just so the 14:01:09 record is clear, those are two letters that 14:01:13 you became aware of sometime in the 2007, 14:01:16	2 3 4 5 6	A. He had been speaking from the podium about suspicious order monitoring, and 14:03:01 I asked to speak to him during a breakout 14:03:06 session to talk about the attributes of our program. 14:03:11  Q. Okay. And I believe we have 14:03:12
2 3 4 5 6 7	Q. So the letters that you had 14:01:06 received from Mr. Rannazzisi, as we described 14:01:07 were the Rannazzisi letters, just so the 14:01:09 record is clear, those are two letters that 14:01:13 you became aware of sometime in the 2007, 14:01:16 2008 time period? 14:01:19	2 3 4 5 6 7	A. He had been speaking from the podium about suspicious order monitoring, and podium about 14:03:01  I asked to speak to him during a breakout program program program program. Program program program. Program pr
2 3 4 5 6 7 8	Q. So the letters that you had 14:01:06 received from Mr. Rannazzisi, as we described 14:01:07 were the Rannazzisi letters, just so the 14:01:09 record is clear, those are two letters that 14:01:13 you became aware of sometime in the 2007, 14:01:16 2008 time period? 14:01:19 A. Yes. 14:01:20	2 3 4 5 6 7 8	A. He had been speaking from the podium about suspicious order monitoring, and 14:03:01 I asked to speak to him during a breakout 14:03:06 session to talk about the attributes of our 14:03:09 program. 14:03:11  Q. Okay. And I believe we have 14:03:12 some documentation about that, so we'll cover 14:03:15 that later. 14:03:17
2 3 4 5 6 7 8	Q. So the letters that you had 14:01:06 received from Mr. Rannazzisi, as we described 14:01:07 were the Rannazzisi letters, just so the 14:01:09 record is clear, those are two letters that 14:01:13 you became aware of sometime in the 2007, 14:01:16 2008 time period? 14:01:20 A. Yes. 14:01:20 MR. O'CONNOR: Objection to 14:01:21 form. 14:01:22  QUESTIONS BY MR. KO: 14:01:22	2 3 4 5 6 7 8	A. He had been speaking from the podium about suspicious order monitoring, and 14:03:01. I asked to speak to him during a breakout 14:03:06 session to talk about the attributes of our 14:03:09 program. 14:03:11  Q. Okay. And I believe we have 14:03:12 some documentation about that, so we'll cover 14:03:15 that later. 14:03:17  But other than that particular 14:03:18 conversation you had with him, do you recall 14:03:21 any other meetings or conversations you had 14:03:23
2 3 4 5 6 7 8 9	Q. So the letters that you had 14:01:06 received from Mr. Rannazzisi, as we described 14:01:07 were the Rannazzisi letters, just so the 14:01:09 record is clear, those are two letters that 14:01:13 you became aware of sometime in the 2007, 14:01:16 2008 time period? 14:01:20 A. Yes. 14:01:20 MR. O'CONNOR: Objection to 14:01:21 form. 14:01:22 QUESTIONS BY MR. KO: 14:01:22 Q. And it's your testimony that 14:01:22	2 3 4 5 6 7 8 9	A. He had been speaking from the podium about suspicious order monitoring, and podium program. 14:03:06  session to talk about the attributes of our program. 14:03:11  Q. Okay. And I believe we have podium program. 14:03:12  some documentation about that, so we'll cover podium program. 14:03:15  that later. 14:03:17  But other than that particular podium program program program program program. 14:03:18  conversation you had with him, do you recall program
2 3 4 5 6 7 8 9 10	Q. So the letters that you had 14:01:06 received from Mr. Rannazzisi, as we described 14:01:07 were the Rannazzisi letters, just so the 14:01:09 record is clear, those are two letters that 14:01:13 you became aware of sometime in the 2007, 14:01:16 2008 time period? 14:01:29 A. Yes. 14:01:20 MR. O'CONNOR: Objection to 14:01:21 form. 14:01:22 QUESTIONS BY MR. KO: 14:01:22 you only received directly the e-mail or 14:01:23	2 3 4 5 6 7 8 9 10	A. He had been speaking from the podium about suspicious order monitoring, and 14:03:01. I asked to speak to him during a breakout 14:03:06 session to talk about the attributes of our 14:03:09 program. 14:03:11  Q. Okay. And I believe we have 14:03:12 some documentation about that, so we'll cover 14:03:15 that later. 14:03:17  But other than that particular 14:03:18 conversation you had with him, do you recall 14:03:21 any other meetings or conversations you had 14:03:23 with Mr. Wright? 14:03:24  A. I'm not certain if he was at a 14:03:26
2 3 4 5 6 7 8 9 10 11	Q. So the letters that you had 14:01:06 received from Mr. Rannazzisi, as we described 14:01:07 were the Rannazzisi letters, just so the 14:01:09 record is clear, those are two letters that 14:01:13 you became aware of sometime in the 2007, 14:01:16 2008 time period? 14:01:19 A. Yes. 14:01:20 MR. O'CONNOR: Objection to 14:01:21 form. 14:01:22 QUESTIONS BY MR. KO: 14:01:22 you only received directly the e-mail or 14:01:23 the letter reflected in Exhibit 10 directly, 14:01:27	2 3 4 5 6 7 8 9 10 11 12	A. He had been speaking from the podium about suspicious order monitoring, and 14:03:01 I asked to speak to him during a breakout 14:03:06 session to talk about the attributes of our 14:03:09 program. 14:03:11  Q. Okay. And I believe we have 14:03:12 some documentation about that, so we'll cover 14:03:15 that later. 14:03:17  But other than that particular 14:03:18 conversation you had with him, do you recall 14:03:21 any other meetings or conversations you had 14:03:23 with Mr. Wright? 14:03:24  A. I'm not certain if he was at a 14:03:26 subsequent meeting at DEA in 2011. I can't 14:03:31
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q. So the letters that you had 14:01:06 received from Mr. Rannazzisi, as we described 14:01:07 were the Rannazzisi letters, just so the 14:01:09 record is clear, those are two letters that 14:01:13 you became aware of sometime in the 2007, 14:01:16 2008 time period? 14:01:19 A. Yes. 14:01:20 MR. O'CONNOR: Objection to 14:01:21 form. 14:01:22 QUESTIONS BY MR. KO: 14:01:22 you only received directly the e-mail or 14:01:23 the letter reflected in Exhibit 10 directly, 14:01:27 correct? 14:01:30	2 3 4 5 6 7 8 9 10 11 12 13 14 15	A. He had been speaking from the podium about suspicious order monitoring, and 14:03:01 I asked to speak to him during a breakout 14:03:06 session to talk about the attributes of our 14:03:09 program. 14:03:11  Q. Okay. And I believe we have 14:03:12 some documentation about that, so we'll cover 14:03:15 that later. 14:03:17  But other than that particular 14:03:18 conversation you had with him, do you recall 14:03:21 any other meetings or conversations you had 14:03:23 with Mr. Wright? 14:03:24  A. I'm not certain if he was at a 14:03:26 subsequent meeting at DEA in 2011. I can't 14:03:31 recall if he was in attendance. 14:03:35
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q. So the letters that you had 14:01:06 received from Mr. Rannazzisi, as we described 14:01:07 were the Rannazzisi letters, just so the 14:01:09 record is clear, those are two letters that 14:01:13 you became aware of sometime in the 2007, 14:01:16 2008 time period? 14:01:20 A. Yes. 14:01:20 MR. O'CONNOR: Objection to 14:01:21 form. 14:01:22 QUESTIONS BY MR. KO: 14:01:22 you only received directly the e-mail or 14:01:23 the letter reflected in Exhibit 10 directly, 14:01:27 correct? 14:01:30 A. Correct. 14:01:31	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. He had been speaking from the podium about suspicious order monitoring, and 14:03:01  I asked to speak to him during a breakout 14:03:06 session to talk about the attributes of our 14:03:09 program. 14:03:11  Q. Okay. And I believe we have 14:03:12 some documentation about that, so we'll cover 14:03:15 that later. 14:03:17  But other than that particular 14:03:18 conversation you had with him, do you recall 14:03:21 any other meetings or conversations you had 14:03:23 with Mr. Wright? 14:03:24  A. I'm not certain if he was at a 14:03:26 subsequent meeting at DEA in 2011. I can't 14:03:31 recall if he was in attendance. 14:03:36
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q. So the letters that you had 14:01:06 received from Mr. Rannazzisi, as we described 14:01:07 were the Rannazzisi letters, just so the 14:01:09 record is clear, those are two letters that 14:01:13 you became aware of sometime in the 2007, 14:01:16 2008 time period? 14:01:19 A. Yes. 14:01:20 MR. O'CONNOR: Objection to 14:01:21 form. 14:01:22 QUESTIONS BY MR. KO: 14:01:22 you only received directly the e-mail or 14:01:23 the letter reflected in Exhibit 10 directly, 14:01:27 correct? 14:01:30 A. Correct. 14:01:31 Q. Okay. And in connection with 14:01:33	2 3 4 5 6 7 8 9 10 11 12 13 14 15	A. He had been speaking from the podium about suspicious order monitoring, and 14:03:01 I asked to speak to him during a breakout 14:03:06 session to talk about the attributes of our 14:03:09 program. 14:03:11  Q. Okay. And I believe we have 14:03:12 some documentation about that, so we'll cover 14:03:15 that later. 14:03:17  But other than that particular 14:03:18 conversation you had with him, do you recall 14:03:21 any other meetings or conversations you had 14:03:23 with Mr. Wright? 14:03:24  A. I'm not certain if he was at a 14:03:26 subsequent meeting at DEA in 2011. I can't 14:03:31 recall if he was in attendance. 14:03:35  Q. Okay. Fair enough. 14:03:36  (Mallinckrodt-Harper Exhibit 11 14:03:42
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q. So the letters that you had 14:01:06 received from Mr. Rannazzisi, as we described 14:01:07 were the Rannazzisi letters, just so the 14:01:09 record is clear, those are two letters that 14:01:13 you became aware of sometime in the 2007, 14:01:16 2008 time period? 14:01:20 A. Yes. 14:01:20 MR. O'CONNOR: Objection to 14:01:21 form. 14:01:22 QUESTIONS BY MR. KO: 14:01:22 you only received directly the e-mail or 14:01:23 the letter reflected in Exhibit 10 directly, 14:01:27 correct? 14:01:30 A. Correct. 14:01:31 Q. Okay. And in connection with 14:01:33 revising and improving Mallinckrodt's SOM 14:01:37	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. He had been speaking from the podium about suspicious order monitoring, and 14:03:01 I asked to speak to him during a breakout 14:03:06 session to talk about the attributes of our 14:03:09 program. 14:03:11  Q. Okay. And I believe we have 14:03:12 some documentation about that, so we'll cover 14:03:15 that later. 14:03:17  But other than that particular 14:03:18 conversation you had with him, do you recall 14:03:21 any other meetings or conversations you had 14:03:23 with Mr. Wright? 14:03:24  A. I'm not certain if he was at a 14:03:26 subsequent meeting at DEA in 2011. I can't 14:03:31 recall if he was in attendance. 14:03:35  Q. Okay. Fair enough. 14:03:36  (Mallinckrodt-Harper Exhibit 11 14:03:42 marked for identification.) 14:04:00
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q. So the letters that you had 14:01:06 received from Mr. Rannazzisi, as we described 14:01:07 were the Rannazzisi letters, just so the 14:01:09 record is clear, those are two letters that 14:01:13 you became aware of sometime in the 2007, 14:01:16 2008 time period? 14:01:19 A. Yes. 14:01:20 MR. O'CONNOR: Objection to 14:01:21 form. 14:01:22 QUESTIONS BY MR. KO: 14:01:22 Q. And it's your testimony that 14:01:22 you only received directly the e-mail or 14:01:23 the letter reflected in Exhibit 10 directly, 14:01:27 correct? 14:01:30 A. Correct. 14:01:31 Q. Okay. And in connection with 14:01:33 revising and improving Mallinckrodt's SOM 14:01:37 program, is one of the reasons for improving 14:01:40	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. He had been speaking from the podium about suspicious order monitoring, and 14:03:01 I asked to speak to him during a breakout 14:03:06 session to talk about the attributes of our 14:03:09 program. 14:03:11  Q. Okay. And I believe we have 14:03:12 some documentation about that, so we'll cover 14:03:15 that later. 14:03:17  But other than that particular 14:03:18 conversation you had with him, do you recall 14:03:21 any other meetings or conversations you had 14:03:23 with Mr. Wright? 14:03:24  A. I'm not certain if he was at a 14:03:26 subsequent meeting at DEA in 2011. I can't 14:03:31 recall if he was in attendance. 14:03:36  (Mallinckrodt-Harper Exhibit 11 14:03:42 marked for identification.) 14:04:00  QUESTIONS BY MR. KO: 14:04:00
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. So the letters that you had 14:01:06 received from Mr. Rannazzisi, as we described 14:01:07 were the Rannazzisi letters, just so the 14:01:09 record is clear, those are two letters that 14:01:13 you became aware of sometime in the 2007, 14:01:16 2008 time period? 14:01:19 A. Yes. 14:01:20 MR. O'CONNOR: Objection to 14:01:21 form. 14:01:22 QUESTIONS BY MR. KO: 14:01:22 Q. And it's your testimony that 14:01:22 you only received directly the e-mail or 14:01:23 the letter reflected in Exhibit 10 directly, 14:01:27 correct? 14:01:30 A. Correct. 14:01:31 Q. Okay. And in connection with 14:01:33 revising and improving Mallinckrodt's SOM 14:01:37 program, is one of the reasons for improving 14:01:40 the SOM program a result of reading these 14:01:44	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. He had been speaking from the podium about suspicious order monitoring, and 14:03:01  I asked to speak to him during a breakout session to talk about the attributes of our 14:03:09  program. 14:03:11  Q. Okay. And I believe we have 14:03:12  some documentation about that, so we'll cover 14:03:15  that later. 14:03:17  But other than that particular 14:03:18  conversation you had with him, do you recall 14:03:21  any other meetings or conversations you had 14:03:23  with Mr. Wright? 14:03:24  A. I'm not certain if he was at a 14:03:26  subsequent meeting at DEA in 2011. I can't 14:03:31  recall if he was in attendance. 14:03:35  Q. Okay. Fair enough. 14:03:36  (Mallinckrodt-Harper Exhibit 11 14:03:42  marked for identification.) 14:04:00  QUESTIONS BY MR. KO: 14:04:00  Q. I'm going to hand you a copy of 14:03:38
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. So the letters that you had 14:01:06 received from Mr. Rannazzisi, as we described 14:01:07 were the Rannazzisi letters, just so the 14:01:09 record is clear, those are two letters that 14:01:13 you became aware of sometime in the 2007, 14:01:16 2008 time period? 14:01:20 A. Yes. 14:01:20 MR. O'CONNOR: Objection to 14:01:21 form. 14:01:22 QUESTIONS BY MR. KO: 14:01:22 you only received directly the e-mail or 14:01:23 the letter reflected in Exhibit 10 directly, 14:01:27 correct? 14:01:30 A. Correct. 14:01:31 Q. Okay. And in connection with 14:01:33 revising and improving Mallinckrodt's SOM 14:01:37 program, is one of the reasons for improving 14:01:40 the SOM program a result of reading these 14:01:44 letters? 14:01:49	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. He had been speaking from the podium about suspicious order monitoring, and 14:03:01 I asked to speak to him during a breakout 14:03:06 session to talk about the attributes of our 14:03:09 program. 14:03:11  Q. Okay. And I believe we have 14:03:12 some documentation about that, so we'll cover 14:03:15 that later. 14:03:17  But other than that particular 14:03:18 conversation you had with him, do you recall 14:03:21 any other meetings or conversations you had 14:03:23 with Mr. Wright? 14:03:24  A. I'm not certain if he was at a 14:03:26 subsequent meeting at DEA in 2011. I can't 14:03:31 recall if he was in attendance. 14:03:35  Q. Okay. Fair enough. 14:03:36  (Mallinckrodt-Harper Exhibit 11 14:03:42 marked for identification.) 14:04:00  QUESTIONS BY MR. KO: 14:04:00  Q. I'm going to hand you a copy of 14:03:38 what has been marked as Harper Exhibit 11. 14:03:40
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. So the letters that you had 14:01:06 received from Mr. Rannazzisi, as we described 14:01:07 were the Rannazzisi letters, just so the 14:01:09 record is clear, those are two letters that 14:01:13 you became aware of sometime in the 2007, 14:01:16 2008 time period? 14:01:20 A. Yes. 14:01:20 MR. O'CONNOR: Objection to 14:01:21 form. 14:01:22 QUESTIONS BY MR. KO: 14:01:22 you only received directly the e-mail or 14:01:23 the letter reflected in Exhibit 10 directly, 14:01:27 correct? 14:01:30 A. Correct. 14:01:31 Q. Okay. And in connection with 14:01:33 revising and improving Mallinckrodt's SOM 14:01:37 program, is one of the reasons for improving 14:01:40 the SOM program a result of reading these 14:01:44 letters? 14:01:49 MR. O'CONNOR: Objection. 14:01:49	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. He had been speaking from the podium about suspicious order monitoring, and 14:03:01 I asked to speak to him during a breakout 14:03:06 session to talk about the attributes of our 14:03:09 program. 14:03:11  Q. Okay. And I believe we have 14:03:12 some documentation about that, so we'll cover 14:03:15 that later. 14:03:17  But other than that particular 14:03:18 conversation you had with him, do you recall 14:03:21 any other meetings or conversations you had 14:03:23 with Mr. Wright? 14:03:24  A. I'm not certain if he was at a 14:03:26 subsequent meeting at DEA in 2011. I can't 14:03:31 recall if he was in attendance. 14:03:35  Q. Okay. Fair enough. 14:03:36  (Mallinckrodt-Harper Exhibit 11 14:03:42 marked for identification.) 14:04:00  QUESTIONS BY MR. KO: 14:04:00  Q. I'm going to hand you a copy of 14:03:38 what has been marked as Harper Exhibit 11. 14:03:40  A. Uh-huh. 14:03:40
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. So the letters that you had 14:01:06 received from Mr. Rannazzisi, as we described 14:01:07 were the Rannazzisi letters, just so the 14:01:09 record is clear, those are two letters that 14:01:13 you became aware of sometime in the 2007, 14:01:16 2008 time period? 14:01:20 A. Yes. 14:01:20 MR. O'CONNOR: Objection to 14:01:21 form. 14:01:22 QUESTIONS BY MR. KO: 14:01:22 Q. And it's your testimony that 14:01:22 you only received directly the e-mail or 14:01:23 the letter reflected in Exhibit 10 directly, 14:01:27 correct? 14:01:30 A. Correct. 14:01:31 Q. Okay. And in connection with 14:01:33 revising and improving Mallinckrodt's SOM 14:01:37 program, is one of the reasons for improving 14:01:40 the SOM program a result of reading these 14:01:44 letters? 14:01:49 MR. O'CONNOR: Objection. 14:01:50	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. He had been speaking from the podium about suspicious order monitoring, and 14:03:01  I asked to speak to him during a breakout 14:03:06 session to talk about the attributes of our 14:03:09 program. 14:03:11  Q. Okay. And I believe we have 14:03:12 some documentation about that, so we'll cover 14:03:15 that later. 14:03:17  But other than that particular 14:03:18 conversation you had with him, do you recall 14:03:21 any other meetings or conversations you had 14:03:23 with Mr. Wright? 14:03:24  A. I'm not certain if he was at a 14:03:26 subsequent meeting at DEA in 2011. I can't 14:03:31 recall if he was in attendance. 14:03:35 Q. Okay. Fair enough. 14:03:36     (Mallinckrodt-Harper Exhibit 11 14:03:42     marked for identification.) 14:04:00 QUESTIONS BY MR. KO: 14:04:00 Q. I'm going to hand you a copy of 14:03:38 what has been marked as Harper Exhibit 11. 14:03:40 A. Uh-huh. 14:03:40 Q. And for the record, this 14:04:00
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Q. So the letters that you had 14:01:06 received from Mr. Rannazzisi, as we described 14:01:07 were the Rannazzisi letters, just so the 14:01:09 record is clear, those are two letters that 14:01:13 you became aware of sometime in the 2007, 14:01:16 2008 time period? 14:01:20 A. Yes. 14:01:20 MR. O'CONNOR: Objection to 14:01:21 form. 14:01:22 QUESTIONS BY MR. KO: 14:01:22 you only received directly the e-mail or 14:01:23 the letter reflected in Exhibit 10 directly, 14:01:27 correct? 14:01:30 A. Correct. 14:01:31 Q. Okay. And in connection with 14:01:33 revising and improving Mallinckrodt's SOM 14:01:37 program, is one of the reasons for improving 14:01:40 the SOM program a result of reading these 14:01:44 letters? 14:01:49 MR. O'CONNOR: Objection. 14:01:50 QUESTIONS BY MR. KO: 14:01:50	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	A. He had been speaking from the podium about suspicious order monitoring, and 14:03:01 I asked to speak to him during a breakout 14:03:06 session to talk about the attributes of our 14:03:09 program. 14:03:11  Q. Okay. And I believe we have 14:03:12 some documentation about that, so we'll cover 14:03:15 that later. 14:03:17  But other than that particular 14:03:18 conversation you had with him, do you recall 14:03:21 any other meetings or conversations you had 14:03:23 with Mr. Wright? 14:03:24  A. I'm not certain if he was at a 14:03:26 subsequent meeting at DEA in 2011. I can't 14:03:31 recall if he was in attendance. 14:03:35  Q. Okay. Fair enough. 14:03:36  (Mallinckrodt-Harper Exhibit 11 14:03:42 marked for identification.) 14:04:00  QUESTIONS BY MR. KO: 14:04:00  Q. I'm going to hand you a copy of 14:03:38 what has been marked as Harper Exhibit 11. 14:03:40  A. Uh-huh. 14:03:40  Q. And for the record, this 14:04:00 exhibit ends in Bates 301994, and it appears 14:04:04
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. So the letters that you had 14:01:06 received from Mr. Rannazzisi, as we described 14:01:07 were the Rannazzisi letters, just so the 14:01:09 record is clear, those are two letters that 14:01:13 you became aware of sometime in the 2007, 14:01:16 2008 time period? 14:01:20 A. Yes. 14:01:20 MR. O'CONNOR: Objection to 14:01:21 form. 14:01:22 QUESTIONS BY MR. KO: 14:01:22 Q. And it's your testimony that 14:01:22 you only received directly the e-mail or 14:01:23 the letter reflected in Exhibit 10 directly, 14:01:27 correct? 14:01:30 A. Correct. 14:01:31 Q. Okay. And in connection with 14:01:33 revising and improving Mallinckrodt's SOM 14:01:37 program, is one of the reasons for improving 14:01:40 the SOM program a result of reading these 14:01:44 letters? 14:01:49 MR. O'CONNOR: Objection. 14:01:50	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. He had been speaking from the podium about suspicious order monitoring, and 14:03:01  I asked to speak to him during a breakout 14:03:06 session to talk about the attributes of our 14:03:09 program. 14:03:11  Q. Okay. And I believe we have 14:03:12 some documentation about that, so we'll cover 14:03:15 that later. 14:03:17  But other than that particular 14:03:18 conversation you had with him, do you recall 14:03:21 any other meetings or conversations you had 14:03:23 with Mr. Wright? 14:03:24  A. I'm not certain if he was at a 14:03:26 subsequent meeting at DEA in 2011. I can't 14:03:31 recall if he was in attendance. 14:03:35 Q. Okay. Fair enough. 14:03:36     (Mallinckrodt-Harper Exhibit 11 14:03:42     marked for identification.) 14:04:00 QUESTIONS BY MR. KO: 14:04:00 Q. I'm going to hand you a copy of 14:03:38 what has been marked as Harper Exhibit 11. 14:03:40 A. Uh-huh. 14:03:40 Q. And for the record, this 14:04:00

			are offer configuration in the view
	Page 250		Page 252
1	Rausch from April 21, 2008. 14:04:14	1	
2	Do you see that? 14:04:19	2	Q. Sure. 14:05:52
3	A. Yes. 14:04:19	3	A at that time. 14:05:52
4	Q. And in this e-mail chain, I 14:04:20	4	Q. I see what you're saying. 14:05:52
5	believe you're asking what the algorithm 14:04:24	5	A. Okay. 14:05:54
6	you're asking Mr. Rausch what the algorithm 14:04:29	6	Q. And so my question was simply: 14:05:54
7	is to determine orders of excessive quantity, 14:04:31 frequency or outside of the normal pattern; 14:04:36	7	At the time of this e-mail, you did not know 14:05:56 the then current equation to determine a 14:05:59
8	frequency or outside of the normal pattern; 14:04:36 is that correct? 14:04:38	8	the then current equation to determine a 14:05:59 peculiar order, correct? 14:06:02
10	A. Yes. 14:04:38	10	A. That's correct. 14:06:03
11	Q. And in particular I said 14:04:39	11	Q. And based on your e-mail, you 14:06:04
12	"algorithm," but you specifically asked what 14:04:43	12	had thought that perhaps it was just a 1.2 14:06:07
13	the current equation is, correct? 14:04:45	13	metric? 14:06:09
14	A. Yes. 14:04:47	14	MR. O'CONNOR: Objection to 14:06:11
15	Q. And he responds that "the 14:04:48	15	form. 14:06:12
16	metric is 2X the previous fiscal year and 14:04:52	16	THE WITNESS: Yes. 14:06:12
17	year-to-date average for a SKU and customer." 14:04:56	17	QUESTIONS BY MR. KO: 14:06:13
18	MR. O'CONNOR: Objection to 14:05:00	18	Q. All right. Okay. 14:06:14
19	form. 14:05:04	19	And just, again, to be clear, 14:06:17
20	QUESTIONS BY MR. KO: 14:05:04	20	this this e-mail talks about an excessive 14:06:19
21	Q. Well, let me just make sure the 14:05:05	21	quantity calculation. That's the title of 14:06:22
22	record is clear. 14:05:06	22	the e-mail, right? 14:06:25
23	His response to your question 14:05:06	23	A. Yes. 14:06:26
24	is, quote, "Any order quantity that is double 14:05:08	24	Q. And Mallinckrodt's then system 14:06:27
25	the previous fiscal year and YTD" in other 14:05:09	25	to determine whether or not an order was of 14:06:36
	Page 251		Page 253
1	words, year-to-date "average for a SKU and 14:05:13	1	an excessive quantity, frequency or outside 14:06:39
2	customer." 14:05:15	2	of normal pattern was to use the 2X metric 14:06:42
3	Did I read that correctly? 14:05:16	3	that we've been describing today; is that 14:06:45
5	A. Yes. 14:05:16	5	correct? 14:06:47 A. Yes. 14:06:47
6	Q. Okay. And so does this refresh 14:05:17 your recollection that in the April 2008 time 14:05:21	6	
7	period, the algorithm that you were using for 14:05:23	7	Q. Okay. You can set that aside. 14:06:49 Now, the date of this e-mail is 14:07:02
8	the peculiar order threshold was 2X the 14:05:24	8	April 21, 2008, correct? 14:07:03
9	previous fiscal year? 14:05:26	9	A. Yes, correct. 14:07:05
10	A. Yes. 14:05:27	10	Q. And that's approximately three 14:07:07
11	Q. Okay. And at that time, it's 14:05:28	11	and a half months after you received 14:07:08
12	also fair to say based on this e-mail that 14:05:30	12	notification from the DEA, and in particular 14:07:10
13	you didn't actually know until Jim responded 14:05:32	13	the second Rannazzisi letter, correct? 14:07:14
14	what the formula actually was? 14:05:35	14	A. Yes. 14:07:17
15	MR. O'CONNOR: Objection to 14:05:36	15	Q. So is it fair to say that it 14:07:17
16	form. 14:05:38	16	took you three and a half months to ask 14:07:18
17	THE WITNESS: That's not 14:05:38	17	Mr. Rausch what your then existing peculiar 14:07:21
18	correct. 14:05:39	18	order algorithm metric was? 14:07:24
19	QUESTIONS BY MR. KO: 14:05:39	19	MR. O'CONNOR: Objection to 14:07:26
20	Q. Well, why did you ask him then? 14:05:40	20	form. 14:07:27
21	A. Because I asked the current 14:05:42	21	THE WITNESS: We were rewriting 14:07:27
22	equation. It had moved from 1.5 to 3 to 2. 14:05:44	22	the policies in the systems and 14:07:29
	•	23	procedures, and, yes, I did not know 14:07:31
23	It moved around. 14:05:47	2 3	procedures, and, ves. I did not know 14.07. 11
23	It moved around. 14:05:47  Q. Right. 14:05:48	24	· ·
	Q. Right. 14:05:48  A. The multiplier. So I asked him 14:05:48		it by heart. So there was a reference 14:07:32 made, and I wanted to detail it in the 14:07:34

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	Page 254		Page 256
1	procedure. 14:07:36	1	e-mail chain between you well, excuse me. 14:09:32
2	QUESTIONS BY MR. KO: 14:07:36	2	It's an e-mail chain involving 14:09:35
3	Q. Okay. Thank you for that. 14:07:36	3	Mr. Ratliff and Mr. Rausch in which you are 14:09:40
4	And I was just asking whether 14:07:37	4	also a recipient, dated April 1, 2008; is 14:09:42
5	or not you agree with the fact that it took 14:07:41	5	that correct? 14:09:46
6	you three and a half months after receiving 14:07:43	6	A. Yes. 14:09:46
7	the second Rannazzisi letter directed at 14:07:45	7	Q. And earlier we had spoken about 14:09:48
8	manufacturers to ask Mr. Rausch what the then 14:07:50	8	Pete Kleissle of the DEA, and you recall 14:09:58
9	existing peculiar order algorithm was. 14:07:59	9	meeting him sometime in 2010, correct? 14:10:01
10	MR. O'CONNOR: Objection. 14:08:01	10	A. Yes. 14:10:04
11	Form. 14:08:03	11	Q. And it appears here that 14:10:05
12	THE WITNESS: Yes. 14:08:03	12	Mr. Kleissle has had some interactions with 14:10:06
13	QUESTIONS BY MR. KO: 14:08:03	13	Mr. Ratliff and Mr. Rausch as well, correct? 14:10:09
14	Q. Okay. Thank you. You can set 14:08:03	14	A. I believe directly with 14:10:11
15	that one aside. 14:08:16	15	Mr. Ratliff, who was passing on the 14:10:15
16	And I think or excuse me, I 14:08:18	16	information to Jim Rausch. 14:10:17
17	will hand you a copy of what's previously 14:08:19	17	Q. Okay. And it was also your 14:10:18
18	been marked as Exhibit 1 to the Stewart 14:08:21	18	understanding that Mr. Rat or excuse me, 14:10:20
19	deposition. 14:08:24	19	Mr. Rausch was sending monthly reports to 14:10:23
20	MR. KO: And for the record, 14:08:26	20	Mr. Kleissle at DEA 14:10:27
21	this document ends in Bates 299558. 14:08:27	21	A. Yes. 14:10:29
22	QUESTIONS BY MR. KO: 14:08:27	22	Q prior to this time, correct? 14:10:30
23	Q. Sorry to jump around, but going 14:08:42	23	A. Yes. 14:10:31
24	back to the previous line of questioning, do 14:08:43	24	Q. And those were the peculiar 14:10:31
25	you recall why it took you three and a half 14:08:48	25	order reports that we were discussing 14:10:32
	Page 255		Page 257
		1	
1	-	1	_
1 2	months to ask for the existing algorithm? 14:08:50	1 2	previously, correct? 14:10:33
1 2 3	months to ask for the existing algorithm? 14:08:50 MR. O'CONNOR: Objection to 14:08:52	1 2 3	previously, correct? 14:10:33 A. Yes. 14:10:34
2	months to ask for the existing algorithm? 14:08:50 MR. O'CONNOR: Objection to 14:08:52 form. 14:08:54	2	previously, correct? 14:10:33  A. Yes. 14:10:34  Q. Now, in response to receiving 14:10:36
2 3	months to ask for the existing algorithm? 14:08:50 MR. O'CONNOR: Objection to 14:08:52 form. 14:08:54 THE WITNESS: I was writing the 14:08:54	2 3	previously, correct? 14:10:33  A. Yes. 14:10:34  Q. Now, in response to receiving 14:10:36 those monthly reports, Mr. Ratliff reports a 14:10:38
2 3 4	months to ask for the existing algorithm? 14:08:50 MR. O'CONNOR: Objection to 14:08:52 form. 14:08:54 THE WITNESS: I was writing the procedure, and I wanted to document. 14:08:56	2 3 4 5	previously, correct? 14:10:33  A. Yes. 14:10:34  Q. Now, in response to receiving 14:10:36 those monthly reports, Mr. Ratliff reports a 14:10:38 conversation that he had with Mr. Kleissle 14:10:45
2 3 4 5	months to ask for the existing algorithm? 14:08:50 MR. O'CONNOR: Objection to 14:08:52 form. 14:08:54 THE WITNESS: I was writing the 14:08:54 procedure, and I wanted to document. 14:08:56 I knew the algorithm existed; I just 14:08:57	2 3 4	previously, correct? 14:10:33  A. Yes. 14:10:34  Q. Now, in response to receiving 14:10:36 those monthly reports, Mr. Ratliff reports a 14:10:38 conversation that he had with Mr. Kleissle 14:10:45 about them; is that correct? 14:10:48
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	Page 258		Page 260
1	today about instances in which Mallinckrodt 14:11:38	1	THE WITNESS: Yes. 14:13:14
2	was shipping a peculiar order before making 14:11:42	2	QUESTIONS BY MR. KO: 14:13:14
3	any kind of due diligence determination. 14:11:46	3	Q. Okay. And in response to 14:13:15
4	Do you recall that testimony? 14:11:49	4	Mr. Ratliff's e-mail, Mr. Rausch says, "Bill, 14:13:22
5	A. Yes, there was a short period 14:11:50	5	okay. I think we just sent the monthly one 14:13:28
6	of time, yes. There was a period of time. 14:11:52	6	out yesterday, so maybe that's the one he 14:13:30
7	Q. Okay. And this seems to 14:11:54	7	just got. We won't send out any more." 14:13:32
8	reflect that practice; is that fair to say? 14:11:57	8	Did I read that correctly? 14:13:35
9	MR. O'CONNOR: Objection to 14:12:02	9	A. Yes. 14:13:35
10	form. 14:12:03	10	Q. So as of the date of this 14:13:37
11	THE WITNESS: No, not no, it 14:12:03	11	e-mail, it appears that Mr. Rausch is no 14:13:40
12	does not. 14:12:08	12	longer going to send the peculiar order 14:13:45
13	QUESTIONS BY MR. KO: 14:12:08	13	reports on to DEA; is that accurate? 14:13:46
14	Q. Okay. Well, Mr. Kleissle is 14:12:08	14	A. Yes. 14:13:49
15	concerned about Mr. Kleissle is concerned, 14:12:10	15	Q. And did you agree with that 14:13:50
16	is he not, about the fact that Mallinckrodt 14:12:14	16	practice? 14:13:51
17	is actually filling orders 14:12:17	17	A. Yes. 14:13:52
18	MR. O'CONNOR: Objection. 14:12:19	18	Q. Okay. And you agreed with that 14:13:55
19	QUESTIONS BY MR. KO: 14:12:19	19	because you were going to revamp and improve 14:13:56
20	Q that appear on the peculiar 14:12:19	20	your SOM program, correct? 14:14:02
21	order report? 14:12:20	21	A. Yes. 14:14:03
22	MR. O'CONNOR: Objection to 14:12:21	22	Q. You can set that one aside. 14:14:04
23	form. 14:12:21	23	Actually, I take that back. 14:14:37
24	THE WITNESS: My understanding 14:12:21	24	Sorry to jump around again. 14:14:39
25	of this instruction is, if it's 14:12:23	25	A. No worries. 14:14:40
	Page 259		Page 261
1	suspicious, do not report it and don't 14:12:25	1	Q. But can you grab that document 14:14:41
2	ship it. But if you're going to ship 14:12:28	2	again? 14:14:44
3	it, it's not suspicious. 14:12:30	3	A. Is this number 1? 14:14:44
4	QUESTIONS BY MR. KO: 14:12:32	4	Q. Yes. 14:14:44
5	Q. Okay. Well 14:12:33	5	A. Stewart? 14:14:46
6	A. Sorry. Sorry. 14:12:34	6	Q. Stewart Exhibit 1. 14:14:48
7	Q. No, it's okay. We'll try to 14:12:35	7	A. All right. Yes, I have it. 14:14:50
8	unpack that in a moment. 14:12:36	8	Q. And Mr. Ratliff indicates to 14:14:50
9	A. Okay. 14:12:37	9	the recipients of this e-mail, including you, 14:14:57
10	Q. But he does say, "If you think 14:12:37	10	that "I advised that we have a conference 14:15:00
11	it is suspicious, don't fill it," correct? 14:12:40	11	call planned with Frank Sapienza on Friday to 14:15:04
12	A. Yes. 14:12:42	12	strengthen our suspicious order 14:15:07
13	Q. Okay. And he also is advising 14:12:43	13	identification system." 14:15:10
14	that he needs more information based on the 14:12:48	14	Did I read that correctly? 14:15:12
15	peculiar order reports that Mr. Rausch 14:12:55	15	A. Yes. 14:15:12
16	Mr. Rausch is sending to him; is that fair to 14:12:57	16	Q. So do you agree do you agree 14:15:12
17	say? 14:12:59	17	with Bill's sentiment at that time that your 14:15:13
18	A. Yes. 14:12:59	18	suspicious order monitoring system needed to 14:15:17
19	Q. Okay. So as of the date of 14:13:01	19	be strengthened? 14:15:20
20	this e-mail, is it fair to say that 14:13:03	20	MR. O'CONNOR: Objection to 14:15:21
21	Mallinckrodt knew from the DEA that they 14:13:05	21	form. 14:15:22
	needed more information on the monthly  14:13:09	22	THE WITNESS: No. 14:15:22
122	needed more information on the monthly 14 13 19		1111 1111111111111111111111111111111111
22	•	23	OUESTIONS BY MR KO: 14:15:22
23	reports that they were sending to DEA? 14:13:11	23	QUESTIONS BY MR. KO: 14:15:22  O. You did not believe it needed 14:15:22
23 24	reports that they were sending to DEA? 14:13:11 MR. O'CONNOR: Objection to 14:13:13	24	Q. You did not believe it needed 14:15:22
23	reports that they were sending to DEA? 14:13:11		

	Page 262		Page 264
1	A. Semantics. I believe it needed 14:15:25	1	A. Yes. 14:17:32
2	to be enhanced, but I would not have used the 14:15:27	2	Q. And the DEA advice that that 14:17:33
3	word "strengthen." 14:15:29		member received was that the DEA expected 14:17:37
4	Q. Okay. So as of April 1, 2008, 14:15:31	4	registrants to know their customer, correct? 14:17:41
5	you believed that Mallinckrodt's suspicious 14:15:34	5	A. Correct. 14:17:44
6	order monitoring program needed to be 14:15:37	6	Q. And I want to focus on the 14:17:44
7	enhanced? 14:15:38	1	portion of your e-mail in which you say that 14:17:48
8	A. Yes. 14:15:38		"The DEA advice includes comparing" quote, 14:17:54
9	Q. Okay. You can set that one 14:15:39		"Compare that activity to a bank's obligation 14:17:59
10	aside. 14:15:42		to report \$10,000 transactions to law 14:18:01
11	I'm now going to hand you a 14:15:53		enforcement for detection and money 14:18:03
12	copy of what will be marked as Harper 14:15:55		laundering while having the ability to detect 14:18:05
13	Exhibit 12. 14:15:57		multiple transactions at \$9,999." 14:18:08
14	MR. KO: For the record, this 14:15:58	14	Did I read that correctly? 14:18:14
15	is ends in Bates stamp 419907. 14:15:58	15	A. Yes. 14:18:14
16	(Mallinckrodt-Harper Exhibit 12 14:16:01	16	Q. Is it a fair interpretation of 14:18:16
17 18	marked for identification.) 14:16:02  OUESTIONS BY MR. KO: 14:16:02		what you're saying here that it's important 14:18:21 for registrants to not just know about orders 14:18:22
19	Q. And this is an e-mail chain in 14:16:21		that are actually suspicious and violate DEA 14:18:27
20	which you are involved in in the late April 14:16:24		regulations or statutes, but also to 14:18:33
21	to early May 2008 time period; is that 14:16:27		determine whether or not there are other 14:18:37
22	correct? 14:16:35		orders that could potentially violate such 14:18:38
23	A. Yes. 14:16:35		duties and statutes under the CSA? 14:18:42
24	Q. And do you have any reason to 14:16:36	24	MR. O'CONNOR: Objection to 14:18:43
25	doubt that you sent and received the e-mails 14:16:39	25	form. 14:18:44
	•		
	Da == 262		D 265
	Page 263		Page 265
1	reflected in this exhibit? 14:16:43	1	THE WITNESS: My interpretation 14:18:44
2	reflected in this exhibit? 14:16:43  A. No. 14:16:44	2	THE WITNESS: My interpretation 14:18:44 of the comment is that the suspicious 14:18:46
2 3	reflected in this exhibit? 14:16:43  A. No. 14:16:44  Q. Okay. And at the very bottom 14:16:45	2 3	THE WITNESS: My interpretation 14:18:44 of the comment is that the suspicious 14:18:46 order monitoring system should detect 14:18:48
2 3 4	reflected in this exhibit? 14:16:43  A. No. 14:16:44  Q. Okay. And at the very bottom 14:16:45 of the first page of the exhibit the first 14:16:47	2 3 4	THE WITNESS: My interpretation 14:18:44 of the comment is that the suspicious 14:18:46 order monitoring system should detect 14:18:48 orders that are causing uplift or 14:18:51
2 3 4 5	reflected in this exhibit? 14:16:43  A. No. 14:16:44  Q. Okay. And at the very bottom 14:16:45  of the first page of the exhibit the first 14:16:47  page. 14:16:54	2 3 4 5	THE WITNESS: My interpretation 14:18:44 of the comment is that the suspicious 14:18:46 order monitoring system should detect 14:18:48 orders that are causing uplift or 14:18:51 the algorithm to flag for unusual 14:18:56
2 3 4 5 6	reflected in this exhibit? 14:16:43  A. No. 14:16:44  Q. Okay. And at the very bottom 14:16:45 of the first page of the exhibit the first 14:16:47 page. 14:16:54  A. Oh, I'm terribly sorry. 14:16:55	2 3 4 5 6	THE WITNESS: My interpretation 14:18:44 of the comment is that the suspicious 14:18:46 order monitoring system should detect 14:18:48 orders that are causing uplift or 14:18:51 the algorithm to flag for unusual 14:18:56 pattern, size or frequency, but also 14:18:58
2 3 4 5 6 7	reflected in this exhibit? 14:16:43  A. No. 14:16:44  Q. Okay. And at the very bottom 14:16:45 of the first page of the exhibit the first 14:16:47 page. 14:16:54  A. Oh, I'm terribly sorry. 14:16:55 Q. That's okay. 14:16:57	2 3 4 5 6	THE WITNESS: My interpretation 14:18:44 of the comment is that the suspicious 14:18:46 order monitoring system should detect 14:18:48 orders that are causing uplift or 14:18:51 the algorithm to flag for unusual 14:18:56 pattern, size or frequency, but also 14:18:58 those that come in by other 14:19:00
2 3 4 5 6 7 8	reflected in this exhibit? 14:16:43  A. No. 14:16:44  Q. Okay. And at the very bottom 14:16:45 of the first page of the exhibit the first 14:16:47 page. 14:16:54  A. Oh, I'm terribly sorry. 14:16:55 Q. That's okay. 14:16:57 you indicate that on 14:16:58	2 3 4 5 6 7 8	THE WITNESS: My interpretation 14:18:44  of the comment is that the suspicious 14:18:46  order monitoring system should detect 14:18:48  orders that are causing uplift or 14:18:51  the algorithm to flag for unusual 14:18:56  pattern, size or frequency, but also 14:18:58  those that come in by other 14:19:00  analysis come in just under those 14:19:06
2 3 4 5 6 7 8	reflected in this exhibit? 14:16:43  A. No. 14:16:44  Q. Okay. And at the very bottom 14:16:45 of the first page of the exhibit the first 14:16:47 page. 14:16:54  A. Oh, I'm terribly sorry. 14:16:55  Q. That's okay. 14:16:57  you indicate that on 14:16:58  April 23, 2008, you attended a meeting to 14:16:59	2 3 4 5 6 7 8	THE WITNESS: My interpretation 14:18:44 of the comment is that the suspicious 14:18:46 order monitoring system should detect 14:18:48 orders that are causing uplift or 14:18:51 the algorithm to flag for unusual 14:18:56 pattern, size or frequency, but also 14:18:58 those that come in by other 14:19:00 analysis come in just under those 14:19:06 metrics. 14:19:07
2 3 4 5 6 7 8 9	reflected in this exhibit?  A. No. 14:16:44  Q. Okay. And at the very bottom 14:16:45 of the first page of the exhibit the first 14:16:47 page. 14:16:54  A. Oh, I'm terribly sorry. 14:16:55 Q. That's okay. 14:16:57  you indicate that on 14:16:58  April 23, 2008, you attended a meeting to 14:16:59 discuss or sorry, you attended a meeting 14:17:01	2 3 4 5 6 7 8 9	THE WITNESS: My interpretation 14:18:44  of the comment is that the suspicious 14:18:46  order monitoring system should detect 14:18:48  orders that are causing uplift or 14:18:51  the algorithm to flag for unusual 14:18:56  pattern, size or frequency, but also 14:18:58  those that come in by other 14:19:00  analysis come in just under those 14:19:06  metrics. 14:19:07  QUESTIONS BY MR. KO: 14:19:07
2 3 4 5 6 7 8 9 10	reflected in this exhibit?  A. No. 14:16:44  Q. Okay. And at the very bottom 14:16:45 of the first page of the exhibit the first 14:16:47 page. 14:16:54  A. Oh, I'm terribly sorry. 14:16:55 Q. That's okay. 14:16:57 you indicate that on 14:16:58  April 23, 2008, you attended a meeting to 14:16:59 discuss or sorry, you attended a meeting 14:17:01 of the Midwest Controlled Substance 14:17:03	2 3 4 5 6 7 8 9 10	THE WITNESS: My interpretation 14:18:44  of the comment is that the suspicious 14:18:46  order monitoring system should detect 14:18:48  orders that are causing uplift or 14:18:51  the algorithm to flag for unusual 14:18:56  pattern, size or frequency, but also 14:18:58  those that come in by other 14:19:00  analysis come in just under those 14:19:06  metrics. 14:19:07  QUESTIONS BY MR. KO: 14:19:07  Q. So ones that could potentially 14:19:08
2 3 4 5 6 7 8 9 10 11	reflected in this exhibit?  A. No. 14:16:44  Q. Okay. And at the very bottom 14:16:45 of the first page of the exhibit the first 14:16:47 page. 14:16:54  A. Oh, I'm terribly sorry. 14:16:55 Q. That's okay. 14:16:57 you indicate that on 14:16:58  April 23, 2008, you attended a meeting to 14:16:59 discuss or sorry, you attended a meeting 14:17:01 of the Midwest Controlled Substance 14:17:03 Discussion Group in Chicago. 14:17:05	2 3 4 5 6 7 8 9 10 11	THE WITNESS: My interpretation 14:18:44  of the comment is that the suspicious 14:18:46  order monitoring system should detect 14:18:48  orders that are causing uplift or 14:18:51  the algorithm to flag for unusual 14:18:56  pattern, size or frequency, but also 14:18:58  those that come in by other 14:19:00  analysis come in just under those 14:19:06  metrics. 14:19:07  QUESTIONS BY MR. KO: 14:19:07  Q. So ones that could potentially 14:19:08  be suspicious and ones that could potentially 14:19:09
2 3 4 5 6 7 8 9 10 11 12 13	reflected in this exhibit?  A. No. 14:16:44  Q. Okay. And at the very bottom 14:16:45 of the first page of the exhibit the first 14:16:47 page. 14:16:54  A. Oh, I'm terribly sorry. 14:16:55 Q. That's okay. 14:16:57 you indicate that on 14:16:58  April 23, 2008, you attended a meeting to 14:16:59 discuss or sorry, you attended a meeting 14:17:01 of the Midwest Controlled Substance 14:17:03  Discussion Group in Chicago. 14:17:05 Do you see that? 14:17:06	2 3 4 5 6 7 8 9 10 11 12	THE WITNESS: My interpretation 14:18:44  of the comment is that the suspicious 14:18:46  order monitoring system should detect 14:18:48  orders that are causing uplift or 14:18:51  the algorithm to flag for unusual 14:18:56  pattern, size or frequency, but also 14:18:58  those that come in by other 14:19:00  analysis come in just under those 14:19:06  metrics. 14:19:07  QUESTIONS BY MR. KO: 14:19:07  Q. So ones that could potentially 14:19:08  be suspicious and ones that could potentially 14:19:09  trigger your algorithm, correct? 14:19:12
2 3 4 5 6 7 8 9 10 11	reflected in this exhibit?  A. No. 14:16:44  Q. Okay. And at the very bottom 14:16:45 of the first page of the exhibit the first 14:16:47 page. 14:16:54  A. Oh, I'm terribly sorry. 14:16:55 Q. That's okay. 14:16:57 you indicate that on 14:16:58  April 23, 2008, you attended a meeting to 14:16:59 discuss or sorry, you attended a meeting 14:17:01 of the Midwest Controlled Substance 14:17:03 Discussion Group in Chicago. 14:17:05  Do you see that? 14:17:06  A. Yes. 14:17:07	2 3 4 5 6 7 8 9 10 11 12 13	THE WITNESS: My interpretation 14:18:44  of the comment is that the suspicious 14:18:46  order monitoring system should detect 14:18:48  orders that are causing uplift or 14:18:51  the algorithm to flag for unusual 14:18:56  pattern, size or frequency, but also 14:18:58  those that come in by other 14:19:00  analysis come in just under those 14:19:06  metrics. 14:19:07  QUESTIONS BY MR. KO: 14:19:07  Q. So ones that could potentially 14:19:08  be suspicious and ones that could potentially 14:19:09  trigger your algorithm, correct? 14:19:12  MR. O'CONNOR: Objection. 14:19:12
2 3 4 5 6 7 8 9 10 11 12 13	reflected in this exhibit?  A. No. 14:16:44  Q. Okay. And at the very bottom 14:16:45 of the first page of the exhibit the first 14:16:47 page. 14:16:54  A. Oh, I'm terribly sorry. 14:16:55 Q. That's okay. 14:16:57 you indicate that on 14:16:58  April 23, 2008, you attended a meeting to 14:16:59 discuss or sorry, you attended a meeting 14:17:01 of the Midwest Controlled Substance 14:17:03 Discussion Group in Chicago. 14:17:05  Do you see that? 14:17:06  A. Yes. 14:17:07 Q. And that was one of the 14:17:07	2 3 4 5 6 7 8 9 10 11 12	THE WITNESS: My interpretation 14:18:44  of the comment is that the suspicious 14:18:46  order monitoring system should detect 14:18:48  orders that are causing uplift or 14:18:51  the algorithm to flag for unusual 14:18:56  pattern, size or frequency, but also 14:18:58  those that come in by other 14:19:00  analysis come in just under those 14:19:06  metrics. 14:19:07  QUESTIONS BY MR. KO: 14:19:07  Q. So ones that could potentially 14:19:08  be suspicious and ones that could potentially 14:19:09  trigger your algorithm, correct? 14:19:12  MR. O'CONNOR: Objection. 14:19:12  Form. 14:19:13
2 3 4 5 6 7 8 9 10 11 12 13 14 15	reflected in this exhibit?  A. No. 14:16:44  Q. Okay. And at the very bottom 14:16:45 of the first page of the exhibit the first 14:16:47 page. 14:16:54  A. Oh, I'm terribly sorry. 14:16:55 Q. That's okay. 14:16:57 you indicate that on 14:16:58  April 23, 2008, you attended a meeting to 14:16:59 discuss or sorry, you attended a meeting 14:17:01 of the Midwest Controlled Substance 14:17:03  Discussion Group in Chicago. 14:17:05  Do you see that? 14:17:07  Q. And that was one of the 14:17:07 industry groups involving manufacturers that 14:17:09	2 3 4 5 6 7 8 9 10 11 12 13 14	THE WITNESS: My interpretation 14:18:44  of the comment is that the suspicious 14:18:46  order monitoring system should detect 14:18:48  orders that are causing uplift or 14:18:51  the algorithm to flag for unusual 14:18:56  pattern, size or frequency, but also 14:18:58  those that come in by other 14:19:00  analysis come in just under those 14:19:06  metrics. 14:19:07  QUESTIONS BY MR. KO: 14:19:07  Q. So ones that could potentially 14:19:08  be suspicious and ones that could potentially 14:19:09  trigger your algorithm, correct? 14:19:12  MR. O'CONNOR: Objection. 14:19:12  Form. 14:19:13  THE WITNESS: Yes. Cause for 14:19:13
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	reflected in this exhibit?  A. No. 14:16:44  Q. Okay. And at the very bottom 14:16:45 of the first page of the exhibit the first 14:16:47 page. 14:16:54  A. Oh, I'm terribly sorry. 14:16:55 Q. That's okay. 14:16:57 you indicate that on 14:16:58  April 23, 2008, you attended a meeting to 14:16:59 discuss or sorry, you attended a meeting 14:17:01 of the Midwest Controlled Substance 14:17:03 Discussion Group in Chicago. 14:17:05  Do you see that? 14:17:06  A. Yes. 14:17:07 Q. And that was one of the 14:17:07	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	THE WITNESS: My interpretation 14:18:44  of the comment is that the suspicious 14:18:46  order monitoring system should detect 14:18:48  orders that are causing uplift or 14:18:51  the algorithm to flag for unusual 14:18:56  pattern, size or frequency, but also 14:18:58  those that come in by other 14:19:00  analysis come in just under those 14:19:06  metrics. 14:19:07  QUESTIONS BY MR. KO: 14:19:07  Q. So ones that could potentially 14:19:08  be suspicious and ones that could potentially 14:19:09  trigger your algorithm, correct? 14:19:12  MR. O'CONNOR: Objection. 14:19:12  Form. 14:19:13  THE WITNESS: Yes. Cause for 14:19:13
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	reflected in this exhibit?  A. No. 14:16:44  Q. Okay. And at the very bottom 14:16:45 of the first page of the exhibit the first 14:16:47 page. 14:16:54  A. Oh, I'm terribly sorry. 14:16:55 Q. That's okay. 14:16:57 you indicate that on 14:16:58  April 23, 2008, you attended a meeting to 14:16:59 discuss or sorry, you attended a meeting 14:17:01 of the Midwest Controlled Substance 14:17:03 Discussion Group in Chicago. 14:17:05  Do you see that? 14:17:07 Q. And that was one of the 14:17:07 industry groups involving manufacturers that 14:17:09 you had referenced earlier today? 14:17:11 A. Yes. 14:17:12	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	THE WITNESS: My interpretation 14:18:44  of the comment is that the suspicious 14:18:46  order monitoring system should detect 14:18:48  orders that are causing uplift or 14:18:51  the algorithm to flag for unusual 14:18:56  pattern, size or frequency, but also 14:18:58  those that come in by other 14:19:00  analysis come in just under those 14:19:06  metrics. 14:19:07  QUESTIONS BY MR. KO: 14:19:07  Q. So ones that could potentially 14:19:08  be suspicious and ones that could potentially 14:19:09  trigger your algorithm, correct? 14:19:12  MR. O'CONNOR: Objection. 14:19:12  Form. 14:19:13  THE WITNESS: Yes. Cause for 14:19:13  further review, yes. 14:19:16  QUESTIONS BY MR. KO: 14:19:18
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	reflected in this exhibit?  A. No. 14:16:44  Q. Okay. And at the very bottom 14:16:45 of the first page of the exhibit the first 14:16:47 page. 14:16:54  A. Oh, I'm terribly sorry. 14:16:55 Q. That's okay. 14:16:57 you indicate that on 14:16:58  April 23, 2008, you attended a meeting to 14:16:59 discuss or sorry, you attended a meeting 14:17:01 of the Midwest Controlled Substance 14:17:03 Discussion Group in Chicago. 14:17:05  Do you see that? 14:17:06  A. Yes. 14:17:07  Q. And that was one of the 14:17:07 industry groups involving manufacturers that 14:17:09 you had referenced earlier today? 14:17:11  A. Yes. 14:17:12 Q. And one of the agenda items was 14:17:13	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	THE WITNESS: My interpretation 14:18:44  of the comment is that the suspicious 14:18:46  order monitoring system should detect 14:18:48  orders that are causing uplift or 14:18:51  the algorithm to flag for unusual 14:18:56  pattern, size or frequency, but also 14:18:58  those that come in by other 14:19:00  analysis come in just under those 14:19:06  metrics. 14:19:07  QUESTIONS BY MR. KO: 14:19:08  be suspicious and ones that could potentially 14:19:09  trigger your algorithm, correct? 14:19:12  MR. O'CONNOR: Objection. 14:19:12  Form. 14:19:13  THE WITNESS: Yes. Cause for 14:19:13  further review, yes. 14:19:16  QUESTIONS BY MR. KO: 14:19:18  Q. All right. So in other words, 14:19:18
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	reflected in this exhibit?  A. No. 14:16:44  Q. Okay. And at the very bottom 14:16:45 of the first page of the exhibit the first 14:16:47 page. 14:16:54  A. Oh, I'm terribly sorry. 14:16:55 Q. That's okay. 14:16:57 you indicate that on 14:16:58  April 23, 2008, you attended a meeting to 14:17:01 of the Midwest Controlled Substance 14:17:03 Discussion Group in Chicago. 14:17:05  Do you see that? 14:17:07  Q. And that was one of the 14:17:07 industry groups involving manufacturers that 14:17:19 you had referenced earlier today? 14:17:12  Q. And one of the agenda items was 14:17:13 suspicious order monitoring, correct? 14:17:18	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	THE WITNESS: My interpretation 14:18:44  of the comment is that the suspicious 14:18:46  order monitoring system should detect 14:18:48  orders that are causing uplift or 14:18:51  the algorithm to flag for unusual 14:18:56  pattern, size or frequency, but also 14:18:58  those that come in by other 14:19:00  analysis come in just under those 14:19:06  metrics. 14:19:07  QUESTIONS BY MR. KO: 14:19:07  Q. So ones that could potentially 14:19:08  be suspicious and ones that could potentially 14:19:09  trigger your algorithm, correct? 14:19:12  MR. O'CONNOR: Objection. 14:19:12  Form. 14:19:13  THE WITNESS: Yes. Cause for 14:19:13  further review, yes. 14:19:16  QUESTIONS BY MR. KO: 14:19:18  QUESTIONS BY MR. KO: 14:19:18  you would agree with me that an effective SOM 14:19:21
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	reflected in this exhibit?  A. No. 14:16:44  Q. Okay. And at the very bottom 14:16:45 of the first page of the exhibit the first 14:16:47 page. 14:16:54  A. Oh, I'm terribly sorry. 14:16:55 Q. That's okay. 14:16:57 you indicate that on 14:16:58  April 23, 2008, you attended a meeting to 14:17:01 of the Midwest Controlled Substance 14:17:03 Discussion Group in Chicago. 14:17:05  Do you see that? 14:17:07  Q. And that was one of the 14:17:07 industry groups involving manufacturers that 14:17:19 you had referenced earlier today? 14:17:12  Q. And one of the agenda items was 14:17:18 A. Yes. 14:17:19 Q. And there is reference made to 14:17:19 DEA advice that one member of the industry 14:17:28	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	THE WITNESS: My interpretation 14:18:44  of the comment is that the suspicious 14:18:46  order monitoring system should detect 14:18:48  orders that are causing uplift or 14:18:51  the algorithm to flag for unusual 14:18:56  pattern, size or frequency, but also 14:18:58  those that come in by other 14:19:00  analysis come in just under those 14:19:06  metrics. 14:19:07  QUESTIONS BY MR. KO: 14:19:07  Q. So ones that could potentially 14:19:08  be suspicious and ones that could potentially 14:19:09  trigger your algorithm, correct? 14:19:12  MR. O'CONNOR: Objection. 14:19:12  Form. 14:19:13  THE WITNESS: Yes. Cause for 14:19:13  further review, yes. 14:19:16  QUESTIONS BY MR. KO: 14:19:18  you would agree with me that an effective SOM 14:19:21  program would not simply just identify actual 14:19:25  orders that are suspicious but orders that 14:19:29  come using your words, that come close to 14:19:32

	Page 266		Page 268
1	form. 14:19:39	1	has been marked as Harper Exhibit 13. 14:21:52
2	THE WITNESS: That was the 14:19:39	2	For the record, this e-mail 14:21:58
3	advice given by this member of 14:19:40	3	chain ends in Bates 302096. 14:22:00
4	industry, yes. 14:19:41	4	And this is an e-mail dated 14:22:11
5	QUESTIONS BY MR. KO: 14:19:42	5	November 4, 2008, from Cathy Stewart to 14:22:13
6	Q. And then regardless of the 14:19:42	6	several people, including you, correct? 14:22:15
7	advice given by the member of the industry, 14:19:43	7	A. Correct. 14:22:17
8	is it your opinion that an effective SOM 14:19:45	8	Q. And they appear to attach notes 14:22:17
9	program would both flag actual suspicious 14:19:47	9	that she took at a conference she attended, 14:22:20
10	orders and those that come close to being a 14:19:50	10	and I believe that is the Buzzeo conference; 14:22:24
11	suspicious order? 14:19:52	11	is that correct? 14:22:26
12	MR. O'CONNOR: Objection to 14:19:52	12	A. Yes. 14:22:26
13	form. 14:19:54	13	Q. Does this refresh your 14:22:27
14	THE WITNESS: Not necessarily, 14:19:54	14	recollection as to whether or not you 14:22:29
15	no. 14:19:55	15	attended this particular conference as well? 14:22:30
16	QUESTIONS BY MR. KO: 14:19:55	16	A. Yes. 14:22:32
17	Q. Okay. So you don't you 14:19:56	17	Q. And did you in fact attend this 14:22:33 conference with Ms. Stewart? 14:22:35
18	didn't you didn't agree with the DEA 14:19:58	18	
19	advice that was being given? 14:19:59  A. So this is a person at a 14:20:00	19	
20	T. C.	20	Q. Okay. And she indicates in her 14:22:36 e-mail to you that "A lot of energy is being 14:22:42
22	conference making a comparison, and it was, 14:20:04 again, another suggestion. But we understood 14:20:07	22	focused on suspicious order monitoring." 14:22:46
23	that we were still refining our algorithm at 14:20:11	23	Do you see that? 14:22:50
24	the time to detect orders of unusual pattern, 14:20:15	24	A. Oh, yes. Yes, I do. 14:22:51
25	size and frequency, not necessarily those 14:20:20	25	Q. And do you recall that at 14:22:54
	size and frequency, not necessarily those 14.20.20		Q. And do you recan that at 14.22.34
	Page 267		Page 269
1	that meet the suggestion. 14:20:23	1	this during this Buzzeo conference in 14:22:56
2	Q. Understood. 14:20:25	1 2	late or fall of 2008 that there was in 14:23:01
2 3	Q. Understood. 14:20:25 And you're right, that is the 14:20:26	2 3	late or fall of 2008 that there was in 14:23:01 fact a lot of attention being given to 14:23:03
2 3 4	Q. Understood. 14:20:25  And you're right, that is the 14:20:26  fundamental duty at the end of the day. You 14:20:29	2 3 4	late or fall of 2008 that there was in 14:23:01 fact a lot of attention being given to 14:23:03 suspicious order monitoring? 14:23:08
2 3 4 5	Q. Understood. 14:20:25  And you're right, that is the 14:20:26  fundamental duty at the end of the day. You 14:20:29  were working it's correct that at this 14:20:32	2 3 4 5	late or fall of 2008 that there was in 14:23:01 fact a lot of attention being given to 14:23:03 suspicious order monitoring? 14:23:08  A. Yes. 14:23:08
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2 3 4 5 6 7 8 9 10	Q. Understood. 14:20:25  And you're right, that is the 14:20:26  fundamental duty at the end of the day. You 14:20:29  were working it's correct that at this 14:20:32  time you were working on an algorithm to 14:20:33  detect orders of unusual pattern, size and 14:20:35  frequency, correct? 14:20:42  A. Yes. 14:20:43  Q. Okay. You can set that one 14:20:43  aside. 14:20:53	2 3 4 5 6 7 8 9 10	late or fall of 2008 that there was in 14:23:01 fact a lot of attention being given to 14:23:03 suspicious order monitoring? 14:23:08  A. Yes. 14:23:08  Q. Okay. And she also indicates 14:23:09 in the second sentence of the second 14:23:17 paragraph you know, I've been talking 14:23:21 quite a bit, so I'll let you if you don't 14:23:25 mind, do you want to read that second 14:23:28 sentence? 14:23:29
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Understood. 14:20:25  And you're right, that is the 14:20:26  fundamental duty at the end of the day. You 14:20:29  were working it's correct that at this 14:20:32  time you were working on an algorithm to 14:20:33  detect orders of unusual pattern, size and 14:20:35  frequency, correct? 14:20:42  A. Yes. 14:20:43  Q. Okay. You can set that one 14:20:43  aside. 14:20:53  (Mallinckrodt-Harper Exhibit 13 14:21:15  marked for identification.) 14:21:15  QUESTIONS BY MR. KO: 14:21:15  Q. Now, you said previously that 14:21:24  you recall attending the Buzzeo conferences 14:21:25	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	late or fall of 2008 that there was in 14:23:01 fact a lot of attention being given to 14:23:03 suspicious order monitoring? 14:23:08  A. Yes. 14:23:08  Q. Okay. And she also indicates 14:23:09 in the second sentence of the second 14:23:17 paragraph you know, I've been talking 14:23:21 quite a bit, so I'll let you if you don't 14:23:25 mind, do you want to read that second 14:23:28 sentence? 14:23:29  A. The second sentence of the 14:23:30  Q. Yeah. 14:23:30  A. "Other highlights, i.e., more 14:23:31 intensive focus on carriers, are provided as 14:23:34
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Understood. 14:20:25  And you're right, that is the 14:20:26  fundamental duty at the end of the day. You 14:20:29  were working it's correct that at this 14:20:32  time you were working on an algorithm to 14:20:33  detect orders of unusual pattern, size and 14:20:35  frequency, correct? 14:20:42  A. Yes. 14:20:43  Q. Okay. You can set that one 14:20:43  aside. 14:20:53  (Mallinckrodt-Harper Exhibit 13 14:21:15  marked for identification.) 14:21:15  QUESTIONS BY MR. KO: 14:21:15  Q. Now, you said previously that 14:21:24  you recall attending the Buzzeo conferences 14:21:25  in certain years when you were senior manager 14:21:27	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	late or fall of 2008 that there was in 14:23:01 fact a lot of attention being given to 14:23:03 suspicious order monitoring? 14:23:08  A. Yes. 14:23:08  Q. Okay. And she also indicates 14:23:09 in the second sentence of the second 14:23:17 paragraph you know, I've been talking 14:23:21 quite a bit, so I'll let you if you don't 14:23:25 mind, do you want to read that second 14:23:28 sentence? 14:23:29  A. The second sentence of the 14:23:29 second paragraph? 14:23:30  Q. Yeah. 14:23:30  A. "Other highlights, i.e., more 14:23:31 intensive focus on carriers, are provided as 14:23:34 a heads-up that this is on its way." 14:23:37
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q. Understood. 14:20:25  And you're right, that is the 14:20:26  fundamental duty at the end of the day. You 14:20:29  were working it's correct that at this 14:20:32  time you were working on an algorithm to 14:20:33  detect orders of unusual pattern, size and 14:20:35  frequency, correct? 14:20:42  A. Yes. 14:20:43  Q. Okay. You can set that one 14:20:43  aside. 14:20:53  (Mallinckrodt-Harper Exhibit 13 14:21:15  marked for identification.) 14:21:15  QUESTIONS BY MR. KO: 14:21:15  Q. Now, you said previously that 14:21:24  you recall attending the Buzzeo conferences 14:21:25  in certain years when you were senior manager 14:21:27  of controlled substance compliance group, 14:21:29	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	late or fall of 2008 that there was in 14:23:01 fact a lot of attention being given to 14:23:03 suspicious order monitoring? 14:23:08  A. Yes. 14:23:08  Q. Okay. And she also indicates 14:23:09 in the second sentence of the second 14:23:17 paragraph you know, I've been talking 14:23:21 quite a bit, so I'll let you if you don't 14:23:25 mind, do you want to read that second 14:23:28 sentence? 14:23:29  A. The second sentence of the 14:23:29 second paragraph? 14:23:30  Q. Yeah. 14:23:30  A. "Other highlights, i.e., more 14:23:31 intensive focus on carriers, are provided as 14:23:37  Q. And can you read the sentence 14:23:41
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Understood. And you're right, that is the 14:20:26 fundamental duty at the end of the day. You 14:20:29 were working it's correct that at this 14:20:32 time you were working on an algorithm to 14:20:33 detect orders of unusual pattern, size and 14:20:35 frequency, correct? 14:20:42 A. Yes. 14:20:43 Q. Okay. You can set that one 14:20:43 aside. 14:20:53 (Mallinckrodt-Harper Exhibit 13 14:21:15 marked for identification.) 14:21:15 QUESTIONS BY MR. KO: 14:21:15 Q. Now, you said previously that 14:21:24 you recall attending the Buzzeo conferences 14:21:25 in certain years when you were senior manager 14:21:27 of controlled substance compliance group, 14:21:32 A. Yes. 14:21:32 Q. And do you recall attending in 14:21:33 2007 and 2008? 14:21:35	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	late or fall of 2008 that there was in 14:23:01 fact a lot of attention being given to 14:23:03 suspicious order monitoring? 14:23:08  A. Yes. 14:23:08  Q. Okay. And she also indicates 14:23:09 in the second sentence of the second 14:23:17 paragraph you know, I've been talking 14:23:21 quite a bit, so I'll let you if you don't 14:23:25 mind, do you want to read that second 14:23:28 sentence? 14:23:29  A. The second sentence of the 14:23:29 second paragraph? 14:23:30  Q. Yeah. 14:23:30  A. "Other highlights, i.e., more 14:23:31 intensive focus on carriers, are provided as 14:23:34 a heads-up that this is on its way." 14:23:37  Q. And can you read the sentence 14:23:41 before that? 14:23:42  A. "The attached is for 14:23:43 informational" oh, I'm sorry. 14:23:45  Q. The sentence before that. 14:23:47

	Page 270		Page 277
1	8	1	Q. Right. So 14:25:43
2	Q. Okay. So certainly from the 14:23:58	2	A. Yes. 14:25:44
3	perspective of Ms. Stewart, she believed that 14:23:59	3	Q. I apologize for that. 14:25:45
4	you were the team leader of the SOM process; 14:24:01	4	A. Quite all right. 14:25:50
5	is that correct? 14:24:04	5	Q. Do you know whether or not the 14:25:51
6	A. That's what this states, yes. 14:24:04	6	formal documentation was contained in any 14:25:52
7	Q. Okay. And you, in fact, 14:24:06	7	sort of database? 14:25:56
8	believed that you were effectively the team 14:24:08	8	A. It is, yes. 14:25:57
9	leader for the enhancement of the SOM process 14:24:10	9	Q. Okay. And what database would 14:25:58
LO	during this time period, correct? 14:24:12	10	that all be kept in? 14:26:00
11	MR. O'CONNOR: Objection. 14:24:13	11	A. It's the share drive at 14:26:02
.2	Form. 14:24:14	12	Mallinckrodt. 14:26:05
.3	THE WITNESS: Yes. 14:24:14	13	Q. Okay. And so your testimony is 14:26:06
.4	QUESTIONS BY MR. KO: 14:24:15	14	that every single order that was identified 14:26:08
.5	Q. And turning the next turning 14:24:19	15	as suspicious was formally documented, or is 14:26:11
.6	to the next page, you see her actual notes. 14:24:20	16	it your testimony that every single order 14:26:17
.7	Do you recall reading and 14:24:27 reviewing these notes? 14:24:29	17 18	that was identified as peculiar was formally 14:26:19 documented, or both? 14:26:21
.8	č		,
L9 20	A. Yes. 14:24:30 Q. Okay. She indicates that, 14:24:32	19 20	MR. O'CONNOR: Objection to 14:26:21 form. 14:26:22
20	quote, "We must also formally document the 14:24:43	21	THE WITNESS: Both, but not 14:26:22
22	investigation of each peculiar, suspicious, 14:24:47	22	necessarily at that time. But as time 14:26:24
23	peculiar, order that gets identified, 14:24:51	23	went on, yes, every order review was 14:26:26
24	including the hows and the whys of the logic 14:24:53	24	documented and why. 14:26:29
25	we used to deem the order appropriate to ship 14:24:55	25	documented and why. 14.20.29
23	we used to deem the order appropriate to simp 14.24.33	23	
	Page 271		Page 27
1	or not." 14:24:58	1	QUESTIONS BY MR. KO: 14:26:30
2	Did I read that correctly? 14:24:59	2	Q. Okay. And do you recall 14:26:30
3	A. Yes. 14:24:59	3	approximately when that formal documentation 14:26:3
4	Q. Okay. And do you recall 14:25:00	4	began? 14:26:36
5	whether or not you implemented that policy 14:25:01	5	A. In 2012. 14:26:37
6	change into the enhanced SOM program? 14:25:05		
		6	Q. Okay. So that would be four 14:26:41
7	MR. O'CONNOR: Objection to 14:25:08	6	years after the date of this particular 14:26:44
7	MR. O'CONNOR: Objection to 14:25:08 form. 14:25:09		years after the date of this particular 14:26:44 e-mail, correct? 14:26:48
	MR. O'CONNOR: Objection to 14:25:08 form. 14:25:09 THE WITNESS: Yes. Yes, we 14:25:09	7	years after the date of this particular 14:26:44 e-mail, correct? 14:26:48 A. Correct. 14:26:48
8 9	MR. O'CONNOR: Objection to 14:25:08 form. 14:25:09  THE WITNESS: Yes. Yes, we 14:25:09 did. Pardon me. 14:25:12	7 8	years after the date of this particular 14:26:44 e-mail, correct? 14:26:48 A. Correct. 14:26:48 Q. Do you know why it took so 14:26:49
8 9 .0	MR. O'CONNOR: Objection to 14:25:08 form. 14:25:09  THE WITNESS: Yes. Yes, we 14:25:09 did. Pardon me. 14:25:12  QUESTIONS BY MR. KO: 14:25:13	7 8 9 10 11	years after the date of this particular 14:26:44 e-mail, correct? 14:26:48 A. Correct. 14:26:48 Q. Do you know why it took so 14:26:49 along to enact that policy? 14:26:51
8 9 L0 L1	MR. O'CONNOR: Objection to 14:25:08 form. 14:25:09  THE WITNESS: Yes. Yes, we 14:25:09 did. Pardon me. 14:25:12  QUESTIONS BY MR. KO: 14:25:13  Q. So is it your testimony that 14:25:13	7 8 9 10 11 12	years after the date of this particular 14:26:44 e-mail, correct? 14:26:48 A. Correct. 14:26:48 Q. Do you know why it took so 14:26:49 along to enact that policy? 14:26:51 A. So we were working on enhancing 14:26:53
8 9 L0 L1 L2	MR. O'CONNOR: Objection to 14:25:08 form. 14:25:09  THE WITNESS: Yes. Yes, we 14:25:09 did. Pardon me. 14:25:12  QUESTIONS BY MR. KO: 14:25:13  Q. So is it your testimony that 14:25:13 for the revised and enhanced SOM program that 14:25:15	7 8 9 10 11 12 13	years after the date of this particular 14:26:44 e-mail, correct? 14:26:48 A. Correct. 14:26:48 Q. Do you know why it took so 14:26:49 along to enact that policy? 14:26:51 A. So we were working on enhancing 14:26:53 our program again. I keep stating that. 14:26:56
8 9 .0 .1 .2 .3	MR. O'CONNOR: Objection to 14:25:08 form. 14:25:09  THE WITNESS: Yes. Yes, we 14:25:09 did. Pardon me. 14:25:12  QUESTIONS BY MR. KO: 14:25:13  Q. So is it your testimony that 14:25:13 for the revised and enhanced SOM program that 14:25:15 you eventually rolled out at a future date 14:25:18	7 8 9 10 11 12 13	years after the date of this particular 14:26:44 e-mail, correct? 14:26:48  A. Correct. 14:26:48  Q. Do you know why it took so 14:26:49 along to enact that policy? 14:26:51  A. So we were working on enhancing 14:26:53 our program again. I keep stating that. 14:26:56 These are suggestions by 14:27:00
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8 9 .0 .1 .2 .3 .4	MR. O'CONNOR: Objection to 14:25:08 form. 14:25:09  THE WITNESS: Yes. Yes, we 14:25:09 did. Pardon me. 14:25:12  QUESTIONS BY MR. KO: 14:25:13  Q. So is it your testimony that 14:25:13 for the revised and enhanced SOM program that 14:25:15 you eventually rolled out at a future date 14:25:18 from the date of this e-mail, you formally 14:25:21 documented every single peculiar order, 14:25:23	7 8 9 10 11 12 13 14 15	years after the date of this particular e-mail, correct?  A. Correct.  Q. Do you know why it took so along to enact that policy?  A. So we were working on enhancing 14:26:51  A. So we were working on enhancing 14:26:56  These are suggestions by 14:27:00 breakout speakers and not necessarily she 14:27:03 talks about they're not all-inclusive, 14:27:06
8 9 .0 .1 .2 .3 .4 .5	MR. O'CONNOR: Objection to 14:25:08 form. 14:25:09  THE WITNESS: Yes. Yes, we 14:25:09 did. Pardon me. 14:25:12  QUESTIONS BY MR. KO: 14:25:13  Q. So is it your testimony that 14:25:13 for the revised and enhanced SOM program that 14:25:15 you eventually rolled out at a future date 14:25:18 from the date of this e-mail, you formally 14:25:21 documented every single peculiar order, 14:25:23 including the hows and whys of the logic we 14:25:30	7 8 9 10 11 12 13 14 15 16 17	years after the date of this particular e-mail, correct?  A. Correct.  Q. Do you know why it took so along to enact that policy?  A. So we were working on enhancing our program again. I keep stating that.  These are suggestions by 14:26:56  These are suggestions by 14:27:00 breakout speakers and not necessarily she 14:27:03 talks about they're not all-inclusive, 14:27:09
8 9 .0 .1 .2 .3 .4 .5 .6	MR. O'CONNOR: Objection to 14:25:08 form. 14:25:09 THE WITNESS: Yes. Yes, we 14:25:09 did. Pardon me. 14:25:12 QUESTIONS BY MR. KO: 14:25:13 Q. So is it your testimony that 14:25:13 for the revised and enhanced SOM program that 14:25:15 you eventually rolled out at a future date 14:25:18 from the date of this e-mail, you formally 14:25:21 documented every single peculiar order, 14:25:23 including the hows and whys of the logic we 14:25:30 used to deemed the order appropriate to ship 14:25:35	7 8 9 10 11 12 13 14 15 16 17	years after the date of this particular e-mail, correct?  A. Correct.  14:26:48  Q. Do you know why it took so 14:26:49 along to enact that policy?  14:26:51  A. So we were working on enhancing 14:26:53 our program again. I keep stating that. 14:26:56  These are suggestions by 14:27:00 breakout speakers and not necessarily she 14:27:06 they're for informational purposes.  So it was our intent to do so, 14:27:10
8 9 -0 -1 -2 -3 -4 -5 -6 -7 -8 -9	MR. O'CONNOR: Objection to 14:25:08 form. 14:25:09  THE WITNESS: Yes. Yes, we 14:25:09 did. Pardon me. 14:25:12  QUESTIONS BY MR. KO: 14:25:13  Q. So is it your testimony that 14:25:13 for the revised and enhanced SOM program that 14:25:15 you eventually rolled out at a future date 14:25:18 from the date of this e-mail, you formally 14:25:21 documented every single peculiar order, 14:25:23 including the hows and whys of the logic we 14:25:30 used to deemed the order appropriate to ship 14:25:35 or not? 14:25:37	7 8 9 10 11 12 13 14 15 16 17 18	years after the date of this particular e-mail, correct?  A. Correct.  Q. Do you know why it took so along to enact that policy?  A. So we were working on enhancing our program again. I keep stating that.  These are suggestions by breakout speakers and not necessarily she talks about they're not all-inclusive, they're for informational purposes.  So it was our intent to do so,  14:27:10  but we had not completely incorporated the  14:26:54  14:26:55  14:26:56  14:27:00  14:27:09  So it was our intent to do so, 14:27:10
8 9 10 11 12 13 14 15 16 17 18	MR. O'CONNOR: Objection to 14:25:08 form. 14:25:09  THE WITNESS: Yes. Yes, we 14:25:09 did. Pardon me. 14:25:12  QUESTIONS BY MR. KO: 14:25:13  Q. So is it your testimony that 14:25:13 for the revised and enhanced SOM program that 14:25:15 you eventually rolled out at a future date 14:25:18 from the date of this e-mail, you formally 14:25:21 documented every single peculiar order, 14:25:23 including the hows and whys of the logic we 14:25:30 used to deemed the order appropriate to ship 14:25:35 or not? 14:25:37  A. Yes. 14:25:37	7 8 9 10 11 12 13 14 15 16 17 18 19	years after the date of this particular e-mail, correct?  A. Correct.  14:26:48  Q. Do you know why it took so along to enact that policy?  14:26:51  A. So we were working on enhancing 14:26:53 our program again. I keep stating that. 14:26:56  These are suggestions by 14:27:00 breakout speakers and not necessarily she 14:27:03 talks about they're not all-inclusive, 14:27:09 So it was our intent to do so, 14:27:10 but we had not completely incorporated the 14:27:13 explanation into every order that was 14:27:17
8 9 10 11 12 13 14 15 16 17 18 19 20	MR. O'CONNOR: Objection to 14:25:08 form. 14:25:09  THE WITNESS: Yes. Yes, we 14:25:09 did. Pardon me. 14:25:12  QUESTIONS BY MR. KO: 14:25:13  Q. So is it your testimony that 14:25:13 for the revised and enhanced SOM program that 14:25:15 you eventually rolled out at a future date 14:25:18 from the date of this e-mail, you formally 14:25:21 documented every single peculiar order, 14:25:23 including the hows and whys of the logic we 14:25:30 used to deemed the order appropriate to ship 14:25:35 or not? 14:25:37  A. Yes. 14:25:37 Q. Okay. And do you know whether 14:25:37	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	years after the date of this particular e-mail, correct?  A. Correct.  Q. Do you know why it took so along to enact that policy?  A. So we were working on enhancing 14:26:51  A. So we were working on enhancing 14:26:53 our program again. I keep stating that.  These are suggestions by 14:27:00 breakout speakers and not necessarily she 14:27:06 they're for informational purposes.  So it was our intent to do so, 14:27:10 but we had not completely incorporated the 14:27:17 reviewed at that time. 14:27:19
8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR. O'CONNOR: Objection to 14:25:08 form. 14:25:09 THE WITNESS: Yes. Yes, we 14:25:09 did. Pardon me. 14:25:12 QUESTIONS BY MR. KO: 14:25:13 Q. So is it your testimony that 14:25:13 for the revised and enhanced SOM program that 14:25:15 you eventually rolled out at a future date 14:25:18 from the date of this e-mail, you formally 14:25:21 documented every single peculiar order, 14:25:23 including the hows and whys of the logic we 14:25:30 used to deemed the order appropriate to ship 14:25:35 or not? 14:25:37 A. Yes. 14:25:37 Q. Okay. And do you know whether 14:25:37 or not those and I think earlier I had 14:25:38	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	years after the date of this particular e-mail, correct?  A. Correct.  14:26:48  Q. Do you know why it took so along to enact that policy?  A. So we were working on enhancing our program again. I keep stating that.  14:26:56  These are suggestions by 14:27:00 breakout speakers and not necessarily she 14:27:03 talks about they're not all-inclusive, 14:27:09 So it was our intent to do so, 14:27:10 but we had not completely incorporated the 14:27:13 explanation into every order that was 14:27:17 reviewed at that time.  14:27:21
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR. O'CONNOR: Objection to 14:25:08 form. 14:25:09  THE WITNESS: Yes. Yes, we 14:25:09 did. Pardon me. 14:25:12  QUESTIONS BY MR. KO: 14:25:13  Q. So is it your testimony that 14:25:13 for the revised and enhanced SOM program that 14:25:15 you eventually rolled out at a future date 14:25:18 from the date of this e-mail, you formally 14:25:21 documented every single peculiar order, 14:25:23 including the hows and whys of the logic we 14:25:30 used to deemed the order appropriate to ship 14:25:35 or not? 14:25:37  A. Yes. 14:25:37  Q. Okay. And do you know whether 14:25:37 or not those and I think earlier I had 14:25:40	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	years after the date of this particular e-mail, correct?  A. Correct.  14:26:48  Q. Do you know why it took so along to enact that policy?  A. So we were working on enhancing 14:26:51  A. So we were working on enhancing 14:26:53 our program again. I keep stating that.  14:26:56  These are suggestions by 14:27:00 breakout speakers and not necessarily she 14:27:03 talks about they're not all-inclusive, 14:27:09  So it was our intent to do so, 14:27:10 but we had not completely incorporated the 14:27:17 reviewed at that time. 14:27:19  Q. But you excuse me. You did 14:27:25
8	MR. O'CONNOR: Objection to 14:25:08 form. 14:25:09 THE WITNESS: Yes. Yes, we 14:25:09 did. Pardon me. 14:25:12 QUESTIONS BY MR. KO: 14:25:13 Q. So is it your testimony that 14:25:13 for the revised and enhanced SOM program that 14:25:15 you eventually rolled out at a future date 14:25:18 from the date of this e-mail, you formally 14:25:21 documented every single peculiar order, 14:25:23 including the hows and whys of the logic we 14:25:30 used to deemed the order appropriate to ship 14:25:35 or not? 14:25:37 A. Yes. 14:25:37 Q. Okay. And do you know whether 14:25:37 or not those and I think earlier I had 14:25:38	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	years after the date of this particular e-mail, correct?  A. Correct.  14:26:48  Q. Do you know why it took so along to enact that policy?  A. So we were working on enhancing 14:26:51  A. So we were working on enhancing 14:26:53 our program again. I keep stating that.  14:26:56  These are suggestions by 14:27:00 breakout speakers and not necessarily she 14:27:03 talks about they're not all-inclusive, 14:27:06 they're for informational purposes.  So it was our intent to do so, 14:27:10 but we had not completely incorporated the 14:27:13 explanation into every order that was 14:27:17 reviewed at that time.  Q. But you excuse me. You did 14:27:21

	Page 274		Page 276
1	A. Yes. 14:27:31	1	QUESTIONS BY MR. KO: 14:29:07
2	Q. And that's four years after you 14:27:32	2	Q. And as we described earlier, 14:29:07
3	first discussed the possibility of doing so, 14:27:33	3	there weren't necessarily other 14:29:10
4	correct? 14:27:35	4	extracurricular activities that you were 14:29:12
5	A. It's four years after the topic 14:27:36	5	involved in with respect to your diversion 14:29:14
6	was made mentioned at a conference, yes. 14:27:38	6	responsibilities at Mallinckrodt, correct? 14:29:16
7	Q. And reference was made by 14:27:40	7	MR. O'CONNOR: Objection to 14:29:18
8	Ms. Stewart that "we must also formally 14:27:44	8	form. 14:29:18
9	document." 14:27:47	9	THE WITNESS: Correct. 14:29:18
10	Did I read that correctly? 14:27:47	10	QUESTIONS BY MR. KO: 14:29:19
11	So just the record just so 14:27:56	11	Q. And so this conference was an 14:29:19
12	the record is clear, Ms. Stewart indicates in 14:27:57	12	important conference for you to attend in 14:29:21
13	her notes that, quote, "We must also formally 14:28:00	13	which you could further understand your 14:29:23
14	document the investigation of each particular 14:28:04	14	responsibilities under the CSA, correct? 14:29:25
15	suspicious, open parens, peculiar, close 14:28:09	15	MR. O'CONNOR: Objection to 14:29:27
16	parens, order that gets identified," end 14:28:11	16	form. 14:29:28
17	quote. 14:28:15	17	THE WITNESS: Yes. 14:29:28
18	Did I read that correctly? 14:28:15	18	QUESTIONS BY MR. KO: 14:29:28
19	A. Yes, you did. 14:28:15	19	Q. So is it fair to say that the 14:29:29
20	Q. Okay. So as of the fall 14:28:16	20	advice and suggestions that were borne out of 14:29:31
21	of 2008, she is suggesting, is she not, that 14:28:21	21	this conference were important suggestions to 14:29:34
22	you must formally document each suspicious or 14:28:23	22	follow? 14:29:38
23 24	peculiar order? 14:28:25  A. She is relaying those notes 14:28:25	24	MR. O'CONNOR: Objection to 14:29:39 form. 14:29:40
2 <del>4</del> 25	A. She is relaying those notes 14:28:25 from the conference, not necessarily as a 14:28:29	25	
25	from the conference, not necessarily as a 14.28.29	25	THE WITNESS: They were 14:29:40
	Page 275		Page 277
1	mandate that we incorporate them. 14:28:32	1	elements to be considered as part of 14:29:41
2	Q. Sure. 14:28:34	2	our suspicious order monitoring 14:29:42
3	A. So they're notes that she took 14:28:35	3	program, not necessarily a mandate to 14:29:44
4	at a conference. 14:28:38	4	be followed. 14:29:46
5		4	
5	Q. Right. And I understand it's 14:28:39	5	QUESTIONS BY MR. KO: 14:29:48
6	not a mandate, but she is making a suggestion 14:28:39		QUESTIONS BY MR. KO: 14:29:48 Q. Okay. And an element to be 14:29:48
	not a mandate, but she is making a suggestion 14:28:39 that you should formally document each 14:28:41	5	QUESTIONS BY MR. KO: 14:29:48 Q. Okay. And an element to be 14:29:48 considered as of the fall of 2008 was formal 14:29:49
6	not a mandate, but she is making a suggestion 14:28:39 that you should formally document each 14:28:41 suspicious and peculiar order, is she not? 14:28:43	5	QUESTIONS BY MR. KO: 14:29:48 Q. Okay. And an element to be 14:29:48 considered as of the fall of 2008 was formal 14:29:49 documentation of every single peculiar and 14:29:51
6 7 8 9	not a mandate, but she is making a suggestion 14:28:39 that you should formally document each 14:28:41 suspicious and peculiar order, is she not? 14:28:43  A. Not necessarily. She's 14:28:44	5 6 7 8 9	QUESTIONS BY MR. KO: 14:29:48 Q. Okay. And an element to be 14:29:48 considered as of the fall of 2008 was formal 14:29:49 documentation of every single peculiar and 14:29:51 suspicious order, correct? 14:29:54
6 7 8 9	not a mandate, but she is making a suggestion 14:28:39 that you should formally document each 14:28:41 suspicious and peculiar order, is she not? 14:28:43  A. Not necessarily. She's 14:28:44 relaying comments made at a conference by a 14:28:45	5 6 7 8 9	QUESTIONS BY MR. KO: 14:29:48  Q. Okay. And an element to be 14:29:49  considered as of the fall of 2008 was formal 14:29:49  documentation of every single peculiar and 14:29:51  suspicious order, correct? 14:29:54  A. Yes, based upon one of the 14:29:54
6 7 8 9 10	not a mandate, but she is making a suggestion 14:28:39 that you should formally document each 14:28:41 suspicious and peculiar order, is she not? 14:28:43  A. Not necessarily. She's 14:28:44 relaying comments made at a conference by a 14:28:45 speaker. 14:28:47	5 6 7 8 9 10 11	QUESTIONS BY MR. KO: 14:29:48  Q. Okay. And an element to be 14:29:48  considered as of the fall of 2008 was formal 14:29:49  documentation of every single peculiar and 14:29:51  suspicious order, correct? 14:29:54  A. Yes, based upon one of the 14:29:54  conference speakers, yes, sir. 14:29:56
6 7 8 9 10 11	not a mandate, but she is making a suggestion 14:28:39 that you should formally document each 14:28:41 suspicious and peculiar order, is she not? 14:28:43  A. Not necessarily. She's 14:28:44 relaying comments made at a conference by a 14:28:45 speaker. 14:28:47  Q. Okay. Is it fair to say 14:28:48	5 6 7 8 9 10 11	QUESTIONS BY MR. KO: 14:29:48 Q. Okay. And an element to be 14:29:48 considered as of the fall of 2008 was formal 14:29:49 documentation of every single peculiar and 14:29:51 suspicious order, correct? 14:29:54 A. Yes, based upon one of the 14:29:54 conference speakers, yes, sir. 14:29:56 Q. And again, it took you four 14:29:57
6 7 8 9 10 11 12	not a mandate, but she is making a suggestion 14:28:39 that you should formally document each 14:28:41 suspicious and peculiar order, is she not? 14:28:43  A. Not necessarily. She's 14:28:44 relaying comments made at a conference by a 14:28:45 speaker. 14:28:47  Q. Okay. Is it fair to say 14:28:48 that this Buzzeo conference that you 14:28:49	5 6 7 8 9 10 11 12 13	QUESTIONS BY MR. KO: 14:29:48  Q. Okay. And an element to be 14:29:48  considered as of the fall of 2008 was formal 14:29:49  documentation of every single peculiar and 14:29:51  suspicious order, correct? 14:29:54  A. Yes, based upon one of the 14:29:56  Q. And again, it took you four 14:29:57  years to actually implement a system in which 14:30:06
6 7 8 9 10 11 12 13	not a mandate, but she is making a suggestion 14:28:39 that you should formally document each 14:28:41 suspicious and peculiar order, is she not? 14:28:43  A. Not necessarily. She's 14:28:44 relaying comments made at a conference by a 14:28:45 speaker. 14:28:47  Q. Okay. Is it fair to say 14:28:48 that this Buzzeo conference that you 14:28:49 attended each year, it was an important 14:28:53	5 6 7 8 9 10 11 12 13	QUESTIONS BY MR. KO:  Q. Okay. And an element to be 14:29:48  considered as of the fall of 2008 was formal 14:29:49  documentation of every single peculiar and 14:29:51  suspicious order, correct? 14:29:54  A. Yes, based upon one of the 14:29:56  Q. And again, it took you four 14:29:57  years to actually implement a system in which 14:30:06  you would formally document each peculiar or 14:30:09
6 7 8 9 10 11 12 13 14	not a mandate, but she is making a suggestion 14:28:39 that you should formally document each 14:28:41 suspicious and peculiar order, is she not? 14:28:43  A. Not necessarily. She's 14:28:44 relaying comments made at a conference by a 14:28:45 speaker. 14:28:47  Q. Okay. Is it fair to say 14:28:48 that this Buzzeo conference that you 14:28:49 attended each year, it was an important 14:28:53 conference, correct? 14:28:56	5 6 7 8 9 10 11 12 13 14 15	QUESTIONS BY MR. KO:  Q. Okay. And an element to be 14:29:48  considered as of the fall of 2008 was formal 14:29:49  documentation of every single peculiar and 14:29:51  suspicious order, correct? 14:29:54  A. Yes, based upon one of the 14:29:56  Q. And again, it took you four 14:29:57  years to actually implement a system in which you would formally document each peculiar or 14:30:09  suspicious order, correct? 14:30:09
6 7 8 9 10 11 12 13 14 15	not a mandate, but she is making a suggestion 14:28:39 that you should formally document each 14:28:41 suspicious and peculiar order, is she not? 14:28:43  A. Not necessarily. She's 14:28:44 relaying comments made at a conference by a 14:28:45 speaker. 14:28:47  Q. Okay. Is it fair to say 14:28:48 that this Buzzeo conference that you 14:28:49 attended each year, it was an important 14:28:53 conference, correct? 14:28:56  A. Yes. 14:28:56	5 6 7 8 9 10 11 12 13 14 15 16	QUESTIONS BY MR. KO:  Q. Okay. And an element to be 14:29:48  considered as of the fall of 2008 was formal 14:29:49  documentation of every single peculiar and 14:29:51  suspicious order, correct? 14:29:54  A. Yes, based upon one of the 14:29:56  Q. And again, it took you four 14:29:57  years to actually implement a system in which you would formally document each peculiar or suspicious order, correct? 14:30:09  suspicious order, correct? 14:30:13
6 7 8 9 10 11 12 13 14 15 16	not a mandate, but she is making a suggestion 14:28:39 that you should formally document each 14:28:41 suspicious and peculiar order, is she not? 14:28:43 A. Not necessarily. She's 14:28:44 relaying comments made at a conference by a 14:28:45 speaker. 14:28:47 Q. Okay. Is it fair to say 14:28:48 that this Buzzeo conference that you 14:28:49 attended each year, it was an important 14:28:53 conference, correct? 14:28:56 A. Yes. 14:28:56 Q. And it was a conference in 14:28:56	5 6 7 8 9 10 11 12 13 14 15 16	QUESTIONS BY MR. KO:  Q. Okay. And an element to be 14:29:48  considered as of the fall of 2008 was formal 14:29:49  documentation of every single peculiar and 14:29:51  suspicious order, correct? 14:29:54  A. Yes, based upon one of the 14:29:56  Q. And again, it took you four 14:29:57  years to actually implement a system in which 14:30:06  you would formally document each peculiar or 14:30:09  suspicious order, correct? 14:30:15  A. Yes. 14:30:15  Q. And during that four-year time 14:30:17
6 7 8 9 10 11 12 13 14 15 16 17	not a mandate, but she is making a suggestion 14:28:39 that you should formally document each 14:28:41 suspicious and peculiar order, is she not? 14:28:43  A. Not necessarily. She's 14:28:44 relaying comments made at a conference by a 14:28:45 speaker. 14:28:47  Q. Okay. Is it fair to say 14:28:48 that this Buzzeo conference that you 14:28:49 attended each year, it was an important 14:28:53 conference, correct? 14:28:56  A. Yes. 14:28:56  Q. And it was a conference in 14:28:56 which you would gain important insight 14:28:58	5 6 7 8 9 10 11 12 13 14 15 16 17	QUESTIONS BY MR. KO:  Q. Okay. And an element to be 14:29:48  considered as of the fall of 2008 was formal 14:29:51  suspicious order, correct? 14:29:54  A. Yes, based upon one of the 14:29:55  Q. And again, it took you four 14:29:57  years to actually implement a system in which you would formally document each peculiar or suspicious order, correct? 14:30:06  you would formally document each peculiar or 14:30:09  suspicious order, correct? 14:30:15  Q. And during that four-year time 14:30:17  period, do you have any understanding of how 14:29:51
6 7 8 9 10 11 12 13 14 15 16 17 18	not a mandate, but she is making a suggestion 14:28:39 that you should formally document each 14:28:41 suspicious and peculiar order, is she not? 14:28:43  A. Not necessarily. She's 14:28:44 relaying comments made at a conference by a 14:28:45 speaker. 14:28:47  Q. Okay. Is it fair to say 14:28:48 that this Buzzeo conference that you 14:28:49 attended each year, it was an important 14:28:56  A. Yes. 14:28:56  Q. And it was a conference in 14:28:56 which you would gain important insight 14:28:58 regarding your duties under the CSA to 14:29:01	5 6 7 8 9 10 11 12 13 14 15 16 17 18	QUESTIONS BY MR. KO:  Q. Okay. And an element to be 14:29:48  considered as of the fall of 2008 was formal documentation of every single peculiar and 14:29:51  suspicious order, correct? 14:29:54  A. Yes, based upon one of the 14:29:56  Q. And again, it took you four 14:29:57  years to actually implement a system in which you would formally document each peculiar or suspicious order, correct? 14:30:09  suspicious order, correct? 14:30:15  Q. And during that four-year time 14:30:17  period, do you have any understanding of how 14:30:21  many pills were diverted in the country, 14:30:25
6 7 8 9 10 11 12 13 14 15 16 17 18 19	not a mandate, but she is making a suggestion 14:28:39 that you should formally document each 14:28:41 suspicious and peculiar order, is she not? 14:28:43  A. Not necessarily. She's 14:28:44 relaying comments made at a conference by a 14:28:45 speaker. 14:28:47  Q. Okay. Is it fair to say 14:28:48 that this Buzzeo conference that you 14:28:49 attended each year, it was an important 14:28:53 conference, correct? 14:28:56  A. Yes. 14:28:56  Q. And it was a conference in 14:28:56 which you would gain important insight regarding your duties under the CSA to 14:29:01 maintain effective controls against 14:29:03	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	QUESTIONS BY MR. KO:  Q. Okay. And an element to be 14:29:48  considered as of the fall of 2008 was formal 14:29:49  documentation of every single peculiar and 14:29:51  suspicious order, correct? 14:29:54  A. Yes, based upon one of the 14:29:56  Q. And again, it took you four 14:29:57  years to actually implement a system in which you would formally document each peculiar or suspicious order, correct? 14:30:06  you would formally document each peculiar or 14:30:09  suspicious order, correct? 14:30:15  Q. And during that four-year time 14:30:17  period, do you have any understanding of how 14:30:21  many pills were diverted in the country, 14:30:25  Mallinckrodt pills were diverted in the
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	not a mandate, but she is making a suggestion 14:28:39 that you should formally document each 14:28:41 suspicious and peculiar order, is she not? 14:28:43  A. Not necessarily. She's 14:28:44 relaying comments made at a conference by a 14:28:45 speaker. 14:28:47  Q. Okay. Is it fair to say 14:28:48 that this Buzzeo conference that you 14:28:49 attended each year, it was an important 14:28:53 conference, correct? 14:28:56  A. Yes. 14:28:56  Q. And it was a conference in 14:28:56 which you would gain important insight regarding your duties under the CSA to 14:29:01 maintain effective controls against 14:29:03 diversion, among other things, correct? 14:29:05	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	QUESTIONS BY MR. KO:  Q. Okay. And an element to be 14:29:48  considered as of the fall of 2008 was formal 14:29:49  documentation of every single peculiar and 14:29:51  suspicious order, correct? 14:29:54  A. Yes, based upon one of the 14:29:56  Q. And again, it took you four 14:29:57  years to actually implement a system in which you would formally document each peculiar or suspicious order, correct? 14:30:09  suspicious order, correct? 14:30:15  Q. And during that four-year time 14:30:17  period, do you have any understanding of how period, do you have any understanding of how mallinckrodt pills were diverted in the 14:30:25  Mallinckrodt pills were diverted in the 14:30:27
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	not a mandate, but she is making a suggestion 14:28:39 that you should formally document each 14:28:41 suspicious and peculiar order, is she not? 14:28:43  A. Not necessarily. She's 14:28:44 relaying comments made at a conference by a 14:28:45 speaker. 14:28:47  Q. Okay. Is it fair to say 14:28:48 that this Buzzeo conference that you 14:28:49 attended each year, it was an important 14:28:56  A. Yes. 14:28:56  Q. And it was a conference in 14:28:56 which you would gain important insight regarding your duties under the CSA to 14:29:01 maintain effective controls against 14:29:03 diversion, among other things, correct? 14:29:05  MR. O'CONNOR: Objection to 14:29:06	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	QUESTIONS BY MR. KO:  Q. Okay. And an element to be 14:29:48  considered as of the fall of 2008 was formal 14:29:49  documentation of every single peculiar and 14:29:51  suspicious order, correct? 14:29:54  A. Yes, based upon one of the 14:29:56  Q. And again, it took you four 14:29:57  years to actually implement a system in which you would formally document each peculiar or suspicious order, correct? 14:30:13  A. Yes. 14:30:15  Q. And during that four-year time 14:30:17  period, do you have any understanding of how period, do you have diverted in the country, Mallinckrodt pills were diverted in the 14:30:29  MR. O'CONNOR: Objection to 14:30:29
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	not a mandate, but she is making a suggestion 14:28:39 that you should formally document each 14:28:41 suspicious and peculiar order, is she not? 14:28:43  A. Not necessarily. She's 14:28:44 relaying comments made at a conference by a 14:28:45 speaker. 14:28:47  Q. Okay. Is it fair to say 14:28:48 that this Buzzeo conference that you 14:28:49 attended each year, it was an important 14:28:53 conference, correct? 14:28:56  A. Yes. 14:28:56  Q. And it was a conference in 14:28:56 which you would gain important insight regarding your duties under the CSA to 14:29:01 maintain effective controls against 14:29:03 diversion, among other things, correct? 14:29:05	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	QUESTIONS BY MR. KO:  Q. Okay. And an element to be 14:29:48  considered as of the fall of 2008 was formal 14:29:49  documentation of every single peculiar and 14:29:51  suspicious order, correct? 14:29:54  A. Yes, based upon one of the 14:29:56  Q. And again, it took you four 14:29:57  years to actually implement a system in which you would formally document each peculiar or suspicious order, correct? 14:30:09  suspicious order, correct? 14:30:15  Q. And during that four-year time 14:30:17  period, do you have any understanding of how period, do you have any understanding of how mallinckrodt pills were diverted in the 14:30:25  Mallinckrodt pills were diverted in the 14:30:27

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1	QUESTIONS BY MR. KO: 14:30:30	1	QUESTIONS BY MR. KO: 14:31:52
2	Q. Do you have an understanding of 14:30:32	2	Q. So are you going to follow your 14:31:58
3	whether or not that time period reflected the 14:30:33	3	counsel's instruction? 14:31:59
4	peak of pills that were being distributed 14:30:39	4	A. Yes, sir. 14:31:59
5	into Florida? 14:30:43	5	Q. Okay. Now, I know you said 14:32:00
6	MR. O'CONNOR: Objection to 14:30:43	6	earlier that this wasn't necessarily a 14:32:09
7	form. 14:30:44	7	mandate but a suggestion. 14:32:11
8	THE WITNESS: Yes. 14:30:44	8	But is there any reason you can 14:32:13
9	QUESTIONS BY MR. KO: 14:30:44	9	think of for not following this advice that 14:32:14
10	Q. You do have an understanding, 14:30:44	10	you learned at the Buzzeo conference in 2008? 14:32:19
11	correct? 14:30:45	11	A. No. 14:32:21
12	A. Yes. 14:30:45	12	Q. Okay. Now, one thing going 14:32:22
13	Q. And during that time period 14:30:45	13	down to the fifth paragraph of this page, 14:32:27
14	there were there was a large concern from 14:30:47	14	Ms. Stewart writes in her notes that "The 14:32:36
15	2008 through 2012 that many of Mallinckrodt 14:30:51	15	general consensus is that sales reps are not 14:32:38
16	pills were going into Florida and being 14:30:54	16	considered a good option for on-site 14:32:42
17	abused and diverted, correct? 14:30:56	17	investigations and initial review prior to 14:32:44
18	MR. O'CONNOR: Objection to 14:30:57	18	accepting new customers due to their 14:32:47
19	form. 14:30:58	19	perceived bias in getting the customer 14:32:48
20	THE WITNESS: Yes. 14:30:58	20	approved for sales revenue purposes." 14:32:50
21	QUESTIONS BY MR. KO: 14:31:00	21	Did I read that correctly? 14:32:53
22	Q. Okay. Do you believe that 14:31:04	22	A. Yes. 14:32:55
23	earlier adoption of the formal documentation 14:31:05	23	Q. And so understanding your 14:32:56
24	to identify peculiar or suspicious orders 14:31:07	24	perspective that these aren't necessarily 14:33:02
25	would have helped stop the flow of diversion 14:31:10	25	mandates, but is it fair to say that one 14:33:04
	Page 279		Page 281
1	and abuse that was occurring of Mallinckrodt 14:31:13	1	thing one piece of advice and/or a 14:33:06
2	pills had you implemented this policy 14:31:16	2	suggestion that you learned following this 14:33:09
3	earlier? 14:31:18	3	conference was that the general consensus is 14:33:11
4	MR. O'CONNOR: Objection to 14:31:18	4	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
			that sales reps should not be involved in 14:33:15
5	form. 14:31:18	5	reviewing new customers due to their 14:33:19
6	form. 14:31:18 THE WITNESS: No. 14:31:18	5	•
	THE WITNESS: No. 14:31:18  QUESTIONS BY MR. KO: 14:31:19		reviewing new customers due to their 14:33:19
6	THE WITNESS: No. 14:31:18  QUESTIONS BY MR. KO: 14:31:19  Q. You don't believe that? 14:31:19	6	reviewing new customers due to their 14:33:19 perceived bias in getting sales? 14:33:21 MR. O'CONNOR: Objection to 14:33:23 form. 14:33:24
6	THE WITNESS: No. 14:31:18  QUESTIONS BY MR. KO: 14:31:19  Q. You don't believe that? 14:31:19  A. I do not. 14:31:20	6	reviewing new customers due to their 14:33:19 perceived bias in getting sales? 14:33:21  MR. O'CONNOR: Objection to 14:33:23 form. 14:33:24  THE WITNESS: That's correct, 14:33:24
6 7 8	THE WITNESS: No. 14:31:18  QUESTIONS BY MR. KO: 14:31:19  Q. You don't believe that? 14:31:19  A. I do not. 14:31:20  Q. Okay. So you don't well, 14:31:21	6 7 8	reviewing new customers due to their 14:33:19 perceived bias in getting sales? 14:33:21  MR. O'CONNOR: Objection to 14:33:23 form. 14:33:24  THE WITNESS: That's correct, 14:33:24 and we did not. 14:33:26
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6 7 8 9 10 11 12	THE WITNESS: No. 14:31:18  QUESTIONS BY MR. KO: 14:31:19  Q. You don't believe that? 14:31:19  A. I do not. 14:31:20  Q. Okay. So you don't well, 14:31:21  then why did you adopt this formal procedure 14:31:23  in 2012? 14:31:25	6 7 8 9 10	reviewing new customers due to their 14:33:19 perceived bias in getting sales? 14:33:21  MR. O'CONNOR: Objection to 14:33:23 form. 14:33:24  THE WITNESS: That's correct, 14:33:24 and we did not. 14:33:26  QUESTIONS BY MR. KO: 14:33:28 Q. In other words well, I think 14:33:29
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6 7 8 9 10 11 12 13 14 15 16 17 18	THE WITNESS: No. 14:31:18  QUESTIONS BY MR. KO: 14:31:19  Q. You don't believe that? 14:31:19  A. I do not. 14:31:20 Q. Okay. So you don't well, 14:31:21  then why did you adopt this formal procedure 14:31:23  in 2012? 14:31:25  A. It was as we continued the 14:31:25  enhancement of our program, it was 14:31:30  THE WITNESS: This may be a 14:31:36  privileged 14:31:37  MR. O'CONNOR: Then I guess I 14:31:39  would instruct you not to answer with 14:31:40	6 7 8 9 10 11 12 13 14 15 16 17	reviewing new customers due to their perceived bias in getting sales? 14:33:21  MR. O'CONNOR: Objection to 14:33:23  form. 14:33:24  THE WITNESS: That's correct, 14:33:24  and we did not. 14:33:26  QUESTIONS BY MR. KO: 14:33:28  Q. In other words well, I think 14:33:29  you were asking {sic} my next question. 14:33:32  So you never had sales reps 14:33:34  involved in initial reviews of initial 14:33:45  reviews of new customers? 14:33:42  A. So we had we had the sales 14:33:43  force calling on customers. We had an 14:33:46
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6 7 8 9 10 11 12 13 14 15 16 17 18 19	THE WITNESS: No. 14:31:18  QUESTIONS BY MR. KO: 14:31:19  Q. You don't believe that? 14:31:19  A. I do not. 14:31:20  Q. Okay. So you don't well, 14:31:21  then why did you adopt this formal procedure 14:31:23  in 2012? 14:31:25  A. It was as we continued the 14:31:25  enhancement of our program, it was 14:31:30  THE WITNESS: This may be a 14:31:36  privileged 14:31:37  MR. O'CONNOR: Then I guess I 14:31:39  would instruct you not to answer with 14:31:40  respect to any sort of attorney-client 14:31:42  communications. 14:31:46	6 7 8 9 10 11 12 13 14 15 16 17 18 19	reviewing new customers due to their perceived bias in getting sales? 14:33:21  MR. O'CONNOR: Objection to 14:33:23  form. 14:33:24  THE WITNESS: That's correct, 14:33:24  and we did not. 14:33:26  QUESTIONS BY MR. KO: 14:33:28  Q. In other words well, I think 14:33:29  you were asking {sic} my next question. 14:33:32  So you never had sales reps 14:33:34  involved in initial reviews of initial 14:33:42  A. So we had we had the sales 14:33:43  force calling on customers. We had an independent new customer setup process 14:33:48  Q. Right. 14:33:51
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	THE WITNESS: No. 14:31:18  QUESTIONS BY MR. KO: 14:31:19  Q. You don't believe that? 14:31:19  A. I do not. 14:31:20 Q. Okay. So you don't well, 14:31:21 then why did you adopt this formal procedure 14:31:23 in 2012? 14:31:25  A. It was as we continued the 14:31:25 enhancement of our program, it was 14:31:30  THE WITNESS: This may be a 14:31:36 privileged 14:31:37  MR. O'CONNOR: Then I guess I 14:31:39 would instruct you not to answer with 14:31:40 respect to any sort of attorney-client 14:31:42 communications. 14:31:46  But you can answer to the 14:31:46	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	reviewing new customers due to their perceived bias in getting sales? 14:33:21  MR. O'CONNOR: Objection to 14:33:23  form. 14:33:24  THE WITNESS: That's correct, 14:33:24  and we did not. 14:33:26  QUESTIONS BY MR. KO: 14:33:28  Q. In other words well, I think 14:33:29  you were asking {sic} my next question. 14:33:32  So you never had sales reps 14:33:34  involved in initial reviews of initial 14:33:36  reviews of new customers? 14:33:42  A. So we had we had the sales 14:33:43  force calling on customers. We had an independent new customer setup process 14:33:48  Q. Right. 14:33:51  A which involved the customer 14:33:51
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	THE WITNESS: No. 14:31:18  QUESTIONS BY MR. KO: 14:31:19  Q. You don't believe that? 14:31:19  A. I do not. 14:31:20 Q. Okay. So you don't well, 14:31:21 then why did you adopt this formal procedure 14:31:23 in 2012? 14:31:25  A. It was as we continued the 14:31:25 enhancement of our program, it was 14:31:30  THE WITNESS: This may be a 14:31:36 privileged 14:31:37  MR. O'CONNOR: Then I guess I 14:31:39 would instruct you not to answer with 14:31:40 respect to any sort of attorney-client 14:31:42 communications. 14:31:46  But you can answer to the 14:31:46 extent you can without getting into 14:31:47	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	reviewing new customers due to their perceived bias in getting sales? 14:33:21  MR. O'CONNOR: Objection to 14:33:23  form. 14:33:24  THE WITNESS: That's correct, 14:33:24  and we did not. 14:33:26  QUESTIONS BY MR. KO: 14:33:28  Q. In other words well, I think 14:33:29  you were asking {sic} my next question. 14:33:32  So you never had sales reps 14:33:34  involved in initial reviews of initial 14:33:36  reviews of new customers? 14:33:42  A. So we had we had the sales 14:33:43  force calling on customers. We had an 14:33:46  independent new customer setup process 14:33:48  Q. Right. 14:33:51  A which involved the customer 14:33:51  filling out the application. 14:33:52
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	THE WITNESS: No. 14:31:18  QUESTIONS BY MR. KO: 14:31:19  Q. You don't believe that? 14:31:19  A. I do not. 14:31:20 Q. Okay. So you don't well, 14:31:21 then why did you adopt this formal procedure 14:31:23 in 2012? 14:31:25  A. It was as we continued the 14:31:25 enhancement of our program, it was 14:31:30  THE WITNESS: This may be a 14:31:36 privileged 14:31:37  MR. O'CONNOR: Then I guess I 14:31:39 would instruct you not to answer with 14:31:40 respect to any sort of attorney-client 14:31:42 communications. 14:31:46  But you can answer to the 14:31:46 extent you can without getting into 14:31:47 those communications with counsel. 14:31:48	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	reviewing new customers due to their perceived bias in getting sales? 14:33:21  MR. O'CONNOR: Objection to 14:33:23  form. 14:33:24  THE WITNESS: That's correct, 14:33:24  and we did not. 14:33:26  QUESTIONS BY MR. KO: 14:33:28  Q. In other words well, I think 14:33:29  you were asking {sic} my next question. 14:33:32  So you never had sales reps 14:33:34  involved in initial reviews of initial 14:33:42  A. So we had we had the sales 14:33:43  force calling on customers. We had an 14:33:48  Q. Right. 14:33:51  A which involved the customer 14:33:51  filling out the application. 14:33:52  At one time we considered that 14:33:54
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	THE WITNESS: No. 14:31:18  QUESTIONS BY MR. KO: 14:31:19  Q. You don't believe that? 14:31:19  A. I do not. 14:31:20 Q. Okay. So you don't well, 14:31:21 then why did you adopt this formal procedure 14:31:23 in 2012? 14:31:25  A. It was as we continued the 14:31:25 enhancement of our program, it was 14:31:30  THE WITNESS: This may be a 14:31:36 privileged 14:31:37  MR. O'CONNOR: Then I guess I 14:31:39 would instruct you not to answer with 14:31:40 respect to any sort of attorney-client 14:31:42 communications. 14:31:46  But you can answer to the 14:31:46 extent you can without getting into 14:31:47	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	reviewing new customers due to their perceived bias in getting sales? 14:33:21  MR. O'CONNOR: Objection to 14:33:23  form. 14:33:24  THE WITNESS: That's correct, 14:33:24  and we did not. 14:33:26  QUESTIONS BY MR. KO: 14:33:28  Q. In other words well, I think 14:33:29  you were asking {sic} my next question. 14:33:32  So you never had sales reps 14:33:34  involved in initial reviews of initial 14:33:36  reviews of new customers? 14:33:42  A. So we had we had the sales 14:33:43  force calling on customers. We had an independent new customer setup process 14:33:48  Q. Right. 14:33:51  A which involved the customer 14:33:51  filling out the application. 14:33:52  At one time we considered that 14:33:55  the sales reps would fill out the 14:33:55
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	THE WITNESS: No. 14:31:18  QUESTIONS BY MR. KO: 14:31:19  Q. You don't believe that? 14:31:19  A. I do not. 14:31:20 Q. Okay. So you don't well, 14:31:21 then why did you adopt this formal procedure 14:31:23 in 2012? 14:31:25  A. It was as we continued the 14:31:25 enhancement of our program, it was 14:31:30  THE WITNESS: This may be a 14:31:36 privileged 14:31:37  MR. O'CONNOR: Then I guess I 14:31:39 would instruct you not to answer with 14:31:40 respect to any sort of attorney-client 14:31:42 communications. 14:31:46  But you can answer to the 14:31:46 extent you can without getting into 14:31:47 those communications with counsel. 14:31:48	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	reviewing new customers due to their perceived bias in getting sales? 14:33:21  MR. O'CONNOR: Objection to 14:33:23  form. 14:33:24  THE WITNESS: That's correct, 14:33:24  and we did not. 14:33:26  QUESTIONS BY MR. KO: 14:33:28  Q. In other words well, I think 14:33:29  you were asking {sic} my next question. 14:33:32  So you never had sales reps 14:33:34  involved in initial reviews of initial 14:33:42  A. So we had we had the sales 14:33:43  force calling on customers. We had an 14:33:48  Q. Right. 14:33:51  A which involved the customer 14:33:51  filling out the application. 14:33:52  At one time we considered that 14:33:54

	Page 282		Page 284
1	that 14:34:02	1	A. Yes. 14:35:47
2	Q. Okay. 14:34:02	2	Q. They did have involvement? 14:35:48
3	A as part of the program. 14:34:02	3	A. Yes. 14:35:49
4	So the customer fills out the 14:34:03	4	Q. Okay. And what involvement 14:35:50
5	application. We run the credit, the Dun & 14:34:05	5	what did that involvement consist of? 14:35:52
6	Bradstreet, et cetera. And that's the way 14:34:08	6	A. So if an order was flagged as 14:35:54
7	so it's not predicated upon the salesperson's 14:34:10	7	peculiar, suspicious, unusual, whatever the 14:35:57
8	review of the customer. 14:34:14	8	naming convention was at the time, we would 14:36:00
9	Q. And by the way, the sales reps 14:34:16	9	at times consult with the NAMs to ask them if 14:36:05
10	referred to here, again, are these both NAMs 14:34:18	10	they had more information on the account that 14:36:08
11	and CSRs, or NAMs or CSRs, or which which 14:34:22	11	would help us in our review of that order 14:36:12
12	sales reps is Cathy referring to? 14:34:26	12	that had been flagged. 14:36:14
13	MR. O'CONNOR: Objection to 14:34:27	13	Q. Okay. And sometimes they would 14:36:15
14	form. 14:34:28	14	clear these orders, correct? 14:36:18
15	THE WITNESS: NAMs. 14:34:28	15	MR. O'CONNOR: Objection to 14:36:19
16	QUESTIONS BY MR. KO: 14:34:29	16	form. 14:36:20
17	Q. NAMs. Okay. 14:34:29	17	THE WITNESS: Yes. Yes. 14:36:20
18	And so your testimony is that 14:34:29	18	QUESTIONS BY MR. KO: 14:36:23
19	NAMs were not involved in any initial review 14:34:32	19	Q. In other words, sometimes they 14:36:24
20	of new customers? 14:34:36	20	would conclusively or sometimes they would 14:36:27
21	A. Not to my knowledge. 14:34:38	21	make the recommendation to you that that 14:36:28
22	Q. Okay. So if if for purposes 14:34:41	22	particular order was not suspicious 14:36:31
23	of the new checklist new customer 14:34:46	23	sufficient to alert the DEA, correct? 14:36:34
24	checklist form NAMs had some input and 14:34:49	24	MR. O'CONNOR: Objection to 14:36:36
25	involvement, that would be contrary to your 14:34:51	25	form. 14:36:36
	Page 283	_	Dana 205
	1 age 203		Page 285
1	expectation 14:34:53	1	THE WITNESS: Yes, with 14:36:36
1 2	_	1 2	
	expectation 14:34:53		THE WITNESS: Yes, with 14:36:36
2	expectation 14:34:53 MR. O'CONNOR: Objection. 14:34:54	2	THE WITNESS: Yes, with 14:36:36 appropriate explanation, yes. 14:36:38
2 3	expectation 14:34:53  MR. O'CONNOR: Objection. 14:34:54  Form. 14:34:55	2 3	THE WITNESS: Yes, with 14:36:36 appropriate explanation, yes. 14:36:38 QUESTIONS BY MR. KO: 14:36:39
2 3 4	expectation 14:34:53  MR. O'CONNOR: Objection. 14:34:54  Form. 14:34:55  QUESTIONS BY MR. KO: 14:34:56	2 3 4	THE WITNESS: Yes, with 14:36:36 appropriate explanation, yes. 14:36:38 QUESTIONS BY MR. KO: 14:36:39 Q. Right. 14:36:40
2 3 4 5	expectation 14:34:53  MR. O'CONNOR: Objection. 14:34:54  Form. 14:34:55  QUESTIONS BY MR. KO: 14:34:56  Q is that correct? 14:34:56  A. I don't can you provide more 14:34:57  detail to give me more information to answer 14:35:01	2 3 4 5	THE WITNESS: Yes, with 14:36:36 appropriate explanation, yes. 14:36:38 QUESTIONS BY MR. KO: 14:36:39 Q. Right. 14:36:40 And that explanation, what did 14:36:40 that usually consist of? Was that in the 14:36:43 form of an e-mail? A telephone call? 14:36:46
2 3 4 5 6	expectation 14:34:53  MR. O'CONNOR: Objection. 14:34:54  Form. 14:34:55  QUESTIONS BY MR. KO: 14:34:56  Q is that correct? 14:34:56  A. I don't can you provide more 14:34:57  detail to give me more information to answer 14:35:01  the question, please? 14:35:03	2 3 4 5 6	THE WITNESS: Yes, with 14:36:36 appropriate explanation, yes. 14:36:38 QUESTIONS BY MR. KO: 14:36:39 Q. Right. 14:36:40 And that explanation, what did 14:36:40 that usually consist of? Was that in the 14:36:43 form of an e-mail? A telephone call? 14:36:46 MR. O'CONNOR: Objection. 14:36:49
2 3 4 5 6 7 8	expectation 14:34:53  MR. O'CONNOR: Objection. 14:34:54  Form. 14:34:55  QUESTIONS BY MR. KO: 14:34:56  Q is that correct? 14:34:56  A. I don't can you provide more 14:34:57  detail to give me more information to answer 14:35:01  the question, please? 14:35:03  Q. Sure. 14:35:04	2 3 4 5 6 7 8	THE WITNESS: Yes, with 14:36:36 appropriate explanation, yes. 14:36:38 QUESTIONS BY MR. KO: 14:36:39 Q. Right. 14:36:40 And that explanation, what did 14:36:40 that usually consist of? Was that in the 14:36:43 form of an e-mail? A telephone call? 14:36:46 MR. O'CONNOR: Objection. 14:36:49 QUESTIONS BY MR. KO: 14:36:49
2 3 4 5 6 7 8 9	expectation 14:34:53  MR. O'CONNOR: Objection. 14:34:54  Form. 14:34:55  QUESTIONS BY MR. KO: 14:34:56  Q is that correct? 14:34:56  A. I don't can you provide more 14:34:57  detail to give me more information to answer 14:35:01 the question, please? 14:35:03  Q. Sure. 14:35:04  Well, maybe I'll I'll try it 14:35:05	2 3 4 5 6 7 8 9	THE WITNESS: Yes, with 14:36:36 appropriate explanation, yes. 14:36:38 QUESTIONS BY MR. KO: 14:36:39 Q. Right. 14:36:40 And that explanation, what did 14:36:40 that usually consist of? Was that in the 14:36:43 form of an e-mail? A telephone call? 14:36:46 MR. O'CONNOR: Objection. 14:36:49 QUESTIONS BY MR. KO: 14:36:49 Q. How did that message how was 14:36:49
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2 3 4 5 6 7 8 9 10 11 12	expectation 14:34:53  MR. O'CONNOR: Objection. 14:34:54  Form. 14:34:55  QUESTIONS BY MR. KO: 14:34:56  Q is that correct? 14:34:56  A. I don't can you provide more 14:34:57  detail to give me more information to answer 14:35:01 the question, please? 14:35:03  Q. Sure. 14:35:04  Well, maybe I'll I'll try it 14:35:05 this way. Did you believe in the fall 14:35:07 of 2008 that it was a good idea to consult 14:35:11	2 3 4 5 6 7 8 9 10 11	THE WITNESS: Yes, with 14:36:36 appropriate explanation, yes. 14:36:38 QUESTIONS BY MR. KO: 14:36:39 Q. Right. 14:36:40 And that explanation, what did 14:36:40 that usually consist of? Was that in the 14:36:43 form of an e-mail? A telephone call? 14:36:46 MR. O'CONNOR: Objection. 14:36:49 QUESTIONS BY MR. KO: 14:36:49 that message conveyed to you? 14:36:51 A. It could have been either, 14:36:53
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	expectation 14:34:53  MR. O'CONNOR: Objection. 14:34:54  Form. 14:34:55  QUESTIONS BY MR. KO: 14:34:56  Q is that correct? 14:34:56  A. I don't can you provide more 14:34:57  detail to give me more information to answer 14:35:01  the question, please? 14:35:03  Q. Sure. 14:35:04  Well, maybe I'll I'll try it 14:35:05  this way. Did you believe in the fall 14:35:11  national account managers in connection with 14:35:14  approval of new customers for purposes of 14:35:17  filling out the new customer checklist? 14:35:22  MR. O'CONNOR: Objection to 14:35:25  THE WITNESS: No. 14:35:25  QUESTIONS BY MR. KO: 14:35:25	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	THE WITNESS: Yes, with appropriate explanation, yes. 14:36:38  QUESTIONS BY MR. KO: 14:36:39  Q. Right. 14:36:40  And that explanation, what did 14:36:40 that usually consist of? Was that in the 14:36:43 form of an e-mail? A telephone call? 14:36:46  MR. O'CONNOR: Objection. 14:36:49  QUESTIONS BY MR. KO: 14:36:49  Q. How did that message how was 14:36:49 that message conveyed to you? 14:36:51  A. It could have been either, 14:36:53 e-mail or telephone. 14:36:55  Q. But we know at least from the 14:36:56 2008 to 2012 time period, there was no formal 14:37:01 documentation of that, correct? 14:37:04  A. Not relative to every order 14:37:05 that was flagged by the algorithm, correct. 14:37:08 Q. Okay. And separate and apart 14:37:10
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	expectation 14:34:53  MR. O'CONNOR: Objection. 14:34:54  Form. 14:34:55  QUESTIONS BY MR. KO: 14:34:56  Q is that correct? 14:34:56  A. I don't can you provide more 14:34:57  detail to give me more information to answer 14:35:01  the question, please? 14:35:03  Q. Sure. 14:35:04  Well, maybe I'll I'll try it 14:35:05  this way. Did you believe in the fall 14:35:07  of 2008 that it was a good idea to consult 14:35:11  national account managers in connection with 14:35:14  approval of new customers for purposes of 14:35:27  filling out the new customer checklist? 14:35:22  MR. O'CONNOR: Objection to 14:35:24  form. 14:35:25  THE WITNESS: No. 14:35:25  QUESTIONS BY MR. KO: 14:35:25  Q. Okay. And how about with 14:35:26	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	THE WITNESS: Yes, with appropriate explanation, yes. 14:36:38  QUESTIONS BY MR. KO: 14:36:39  Q. Right. 14:36:40  And that explanation, what did 14:36:40 that usually consist of? Was that in the 14:36:43 form of an e-mail? A telephone call? 14:36:46  MR. O'CONNOR: Objection. 14:36:49  QUESTIONS BY MR. KO: 14:36:49  Q. How did that message how was 14:36:49 that message conveyed to you? 14:36:51  A. It could have been either, 14:36:53 e-mail or telephone. 14:36:55  Q. But we know at least from the 14:36:56 2008 to 2012 time period, there was no formal 14:37:01 documentation of that, correct? 14:37:05 that was flagged by the algorithm, correct. 14:37:10 from what's included in Ms. Stewart's notes, 14:37:15
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	expectation 14:34:53  MR. O'CONNOR: Objection. 14:34:54  Form. 14:34:55  QUESTIONS BY MR. KO: 14:34:56  Q is that correct? 14:34:56  A. I don't can you provide more 14:34:57  detail to give me more information to answer 14:35:01  the question, please? 14:35:03  Q. Sure. 14:35:04  Well, maybe I'll I'll try it 14:35:05  this way. Did you believe in the fall 14:35:07  of 2008 that it was a good idea to consult 14:35:11  national account managers in connection with 14:35:14  approval of new customers for purposes of 14:35:17  filling out the new customer checklist? 14:35:22  MR. O'CONNOR: Objection to 14:35:24  form. 14:35:25  THE WITNESS: No. 14:35:25  QUESTIONS BY MR. KO: 14:35:25  respect to determining whether or not any 14:35:28	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	THE WITNESS: Yes, with appropriate explanation, yes. 14:36:38  QUESTIONS BY MR. KO: 14:36:39  Q. Right. 14:36:40  And that explanation, what did 14:36:40 that usually consist of? Was that in the 14:36:43 form of an e-mail? A telephone call? 14:36:46  MR. O'CONNOR: Objection. 14:36:49  QUESTIONS BY MR. KO: 14:36:49  Q. How did that message how was 14:36:49 that message conveyed to you? 14:36:51  A. It could have been either, 14:36:53 e-mail or telephone. 14:36:55  Q. But we know at least from the 14:36:56 2008 to 2012 time period, there was no formal 14:37:01 documentation of that, correct? 14:37:04  A. Not relative to every order 14:37:05 that was flagged by the algorithm, correct. 14:37:08  Q. Okay. And separate and apart 14:37:10 from what's included in Ms. Stewart's notes, 14:37:15 do you believe having salespeople involved in 14:37:19
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	expectation 14:34:53  MR. O'CONNOR: Objection. 14:34:54  Form. 14:34:55  QUESTIONS BY MR. KO: 14:34:56  Q is that correct? 14:34:56  A. I don't can you provide more 14:34:57  detail to give me more information to answer 14:35:01  the question, please? 14:35:03  Q. Sure. 14:35:04  Well, maybe I'll I'll try it 14:35:05  this way. Did you believe in the fall 14:35:07  of 2008 that it was a good idea to consult 14:35:11  national account managers in connection with 14:35:14  approval of new customers for purposes of 14:35:17  filling out the new customer checklist? 14:35:22  MR. O'CONNOR: Objection to 14:35:24  form. 14:35:25  THE WITNESS: No. 14:35:25  Q. Okay. And how about with 14:35:26  respect to determining whether or not any 14:35:28  orders of new customers were peculiar and/or 14:35:33	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	THE WITNESS: Yes, with 14:36:36 appropriate explanation, yes. 14:36:38 QUESTIONS BY MR. KO: 14:36:39 Q. Right. 14:36:40 And that explanation, what did 14:36:40 that usually consist of? Was that in the 14:36:43 form of an e-mail? A telephone call? 14:36:46 MR. O'CONNOR: Objection. 14:36:49 QUESTIONS BY MR. KO: 14:36:49 Q. How did that message how was 14:36:49 that message conveyed to you? 14:36:51 A. It could have been either, 14:36:53 e-mail or telephone. 14:36:55 Q. But we know at least from the 14:36:56 2008 to 2012 time period, there was no formal 14:37:01 documentation of that, correct? 14:37:04 A. Not relative to every order 14:37:05 that was flagged by the algorithm, correct. 14:37:08 Q. Okay. And separate and apart 14:37:10 from what's included in Ms. Stewart's notes, 14:37:15 do you believe having salespeople involved in 14:37:19 the identification of suspicious orders is a 14:37:21
2 3 4 5 6 7 8 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	expectation 14:34:53  MR. O'CONNOR: Objection. 14:34:54  Form. 14:34:55  QUESTIONS BY MR. KO: 14:34:56  Q is that correct? 14:34:56  A. I don't can you provide more 14:34:57  detail to give me more information to answer 14:35:01  the question, please? 14:35:03  Q. Sure. 14:35:04  Well, maybe I'll I'll try it 14:35:05  this way. Did you believe in the fall 14:35:07  of 2008 that it was a good idea to consult 14:35:11  national account managers in connection with 14:35:14  approval of new customers for purposes of 14:35:17  filling out the new customer checklist? 14:35:22  MR. O'CONNOR: Objection to 14:35:24  form. 14:35:25  THE WITNESS: No. 14:35:25  QUESTIONS BY MR. KO: 14:35:26  respect to determining whether or not any 14:35:33  suspicious? Did you believe that NAMs had 14:35:37	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	THE WITNESS: Yes, with 14:36:36 appropriate explanation, yes. 14:36:38 QUESTIONS BY MR. KO: 14:36:39 Q. Right. 14:36:40 And that explanation, what did 14:36:40 that usually consist of? Was that in the 14:36:43 form of an e-mail? A telephone call? 14:36:46 MR. O'CONNOR: Objection. 14:36:49 QUESTIONS BY MR. KO: 14:36:49 Q. How did that message how was 14:36:49 that message conveyed to you? 14:36:51 A. It could have been either, 14:36:53 e-mail or telephone. 14:36:55 Q. But we know at least from the 14:36:56 2008 to 2012 time period, there was no formal 14:37:01 documentation of that, correct? 14:37:04 A. Not relative to every order 14:37:05 that was flagged by the algorithm, correct. 14:37:08 Q. Okay. And separate and apart 14:37:10 from what's included in Ms. Stewart's notes, 14:37:15 do you believe having salespeople involved in 14:37:19 the identification of suspicious orders is a 14:37:21 good thing? 14:37:25
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	expectation 14:34:53  MR. O'CONNOR: Objection. 14:34:54  Form. 14:34:55  QUESTIONS BY MR. KO: 14:34:56  Q is that correct? 14:34:56  A. I don't can you provide more 14:34:57  detail to give me more information to answer 14:35:01  the question, please? 14:35:03  Q. Sure. 14:35:04  Well, maybe I'll I'll try it 14:35:05  this way. Did you believe in the fall 14:35:07  of 2008 that it was a good idea to consult 14:35:11  national account managers in connection with 14:35:14  approval of new customers for purposes of 14:35:17  filling out the new customer checklist? 14:35:22  MR. O'CONNOR: Objection to 14:35:24  form. 14:35:25  THE WITNESS: No. 14:35:25  Q. Okay. And how about with 14:35:26  respect to determining whether or not any 14:35:28  orders of new customers were peculiar and/or 14:35:33	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	THE WITNESS: Yes, with 14:36:36 appropriate explanation, yes. 14:36:38 QUESTIONS BY MR. KO: 14:36:39 Q. Right. 14:36:40 And that explanation, what did 14:36:40 that usually consist of? Was that in the 14:36:43 form of an e-mail? A telephone call? 14:36:46 MR. O'CONNOR: Objection. 14:36:49 QUESTIONS BY MR. KO: 14:36:49 Q. How did that message how was 14:36:49 that message conveyed to you? 14:36:51 A. It could have been either, 14:36:53 e-mail or telephone. 14:36:55 Q. But we know at least from the 14:36:56 2008 to 2012 time period, there was no formal 14:37:01 documentation of that, correct? 14:37:04 A. Not relative to every order 14:37:05 that was flagged by the algorithm, correct. 14:37:08 Q. Okay. And separate and apart 14:37:10 from what's included in Ms. Stewart's notes, 14:37:15 do you believe having salespeople involved in 14:37:19 the identification of suspicious orders is a 14:37:21

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	Page 286		Page 288
1	THE WITNESS: No. They 14:37:27	1	believe that conflict of interest exists in 14:39:17
2	facilitating in the review, yes, but 14:37:31	2	having an individual who has a financial 14:39:20
3	not in the identification, no. I do 14:37:33	3	incentive to create new sales also determine 14:39:23
4	not think they should be involved. 14:37:36	4	whether or not an order is suspicious? 14:39:25
5	QUESTIONS BY MR. KO: 14:37:38	5	MR. O'CONNOR: Objection to 14:39:27
6	Q. Okay. And so if they were 14:37:39	6	form. 14:39:28
7	so I understand this is a hypothetical, but 14:37:43	7	THE WITNESS: I believe that 14:39:28
8	bear with me. 14:37:45	8	the greater incentive is regulatory 14:39:30
9	So would it be appropriate then 14:37:46	9	compliance and DEA compliance, as was 14:39:33
10	if a national account manager was the only 14:37:49	10	carried throughout our organization, 14:39:36
11	source for determining whether or not a 14:37:57	11	would override any financial 14:39:38
12	peculiar order was suspicious or not? 14:38:00	12	incentive. 14:39:40
13	A. Yes. 14:38:01	13	QUESTIONS BY MR. KO: 14:39:41
14	Q. It would be appropriate? 14:38:01	14	Q. Do you believe that the 14:39:42
15	A. Yes. 14:38:02	15	national account managers had believed 14:39:43
16	Q. So in that case, isn't the NAM 14:38:03	16	that they had a greater incentive to comply 14:39:45
17	the only person providing input as to whether 14:38:07	17	with the regulatory statutes laid out under 14:39:48
18	or not an order is suspicious? 14:38:09	18	the CSA? 14:39:51
19	A. Yes. 14:38:10	19	A. Yes. 14:39:53
20	Q. Okay. And so you're saying 14:38:15	20	Q. Okay. And you believe well, 14:39:54
21	that's okay? 14:38:16	21	strike that. 14:39:57
22	A. Yes. 14:38:17	22	Do you recall following the 14:39:57
23	Q. Okay. So you don't have any 14:38:17	23	date of this particular Buzzeo conference 14:40:13
24	problems, as someone who is in charge of 14:38:20	24	ever discussing removing NAMs from the 14:40:16
25	running a suspicious order monitoring 14:38:22	25	suspicious order monitoring and peculiar 14:40:22
	Page 287		Page 289
1	program, of having national account managers 14:38:24	1	
2	who have an incentive for new sales and new 14:38:29	2	A. No. 14:40:25
3	business to be involved in the decision of 14:38:34	3	Q. Okay. Do you ever recall 14:40:27
4	whether or not to identify an order as 14:38:36		
		4	removing any member of sales force that 14:40:30
5	suspicious or not? 14:38:39		removing any member of sales force that 14:40:30 includes NAMs and customer service reps 14:40:33
5 6	suspicious or not? 14:38:39  MR. O'CONNOR: Objection to 14:38:39		
	-	5	includes NAMs and customer service reps 14:40:33
6	MR. O'CONNOR: Objection to 14:38:39	5	includes NAMs and customer service reps 14:40:33 from the peculiar order/suspicious order 14:40:37
6	MR. O'CONNOR: Objection to 14:38:39 form. 14:38:40	5 6 7	includes NAMs and customer service reps 14:40:33 from the peculiar order/suspicious order 14:40:37 review system? 14:40:41
6 7 8	MR. O'CONNOR: Objection to 14:38:39 form. 14:38:40  THE WITNESS: I do not have any 14:38:40	5 6 7 8	includes NAMs and customer service reps 14:40:33 from the peculiar order/suspicious order 14:40:37 review system? 14:40:41  A. No. 14:40:43
6 7 8 9	MR. O'CONNOR: Objection to 14:38:39 form. 14:38:40  THE WITNESS: I do not have any 14:38:40 problem with that. 14:38:44	5 6 7 8	includes NAMs and customer service reps 14:40:33 from the peculiar order/suspicious order 14:40:37 review system? 14:40:41 A. No. 14:40:43 Q. Okay. You can set this 14:40:43
6 7 8 9 10	MR. O'CONNOR: Objection to 14:38:39 form. 14:38:40  THE WITNESS: I do not have any problem with that. 14:38:44  QUESTIONS BY MR. KO: 14:38:45	5 6 7 8 9	includes NAMs and customer service reps 14:40:33 from the peculiar order/suspicious order 14:40:37 review system? 14:40:41 A. No. 14:40:43 Q. Okay. You can set this 14:40:43 document aside. 14:40:53
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6 7 8 9 10 11 12	MR. O'CONNOR: Objection to 14:38:39 form. 14:38:40  THE WITNESS: I do not have any 14:38:40 problem with that. 14:38:44  QUESTIONS BY MR. KO: 14:38:45  Q. Okay. National account 14:38:45  managers at Mallinckrodt were compensated on 14:38:47	5 6 7 8 9 10 11	includes NAMs and customer service reps 14:40:33 from the peculiar order/suspicious order 14:40:37 review system? 14:40:41 A. No. 14:40:43 Q. Okay. You can set this 14:40:43 document aside. 14:40:53 (Mallinckrodt-Harper Exhibit 14 14:40:57 marked for identification.) 14:40:58
6 7 8 9 10 11 12	MR. O'CONNOR: Objection to 14:38:39  form. 14:38:40  THE WITNESS: I do not have any 14:38:40 problem with that. 14:38:44  QUESTIONS BY MR. KO: 14:38:45  Q. Okay. National account 14:38:45 managers at Mallinckrodt were compensated on 14:38:47 a commission or excuse me. 14:38:48  Do you have an understanding of 14:38:50 how national account managers were 14:38:52	5 6 7 8 9 10 11 12 13	includes NAMs and customer service reps 14:40:33 from the peculiar order/suspicious order 14:40:37 review system? 14:40:41 A. No. 14:40:43 Q. Okay. You can set this 14:40:43 document aside. 14:40:53 (Mallinckrodt-Harper Exhibit 14 14:40:57 marked for identification.) 14:40:58 QUESTIONS BY MR. KO: 14:40:58 Q. I'm going to hand you a copy of 14:40:58 what will be marked as Harper Exhibit 14. 14:40:59
6 7 8 9 10 11 12 13 14 15	MR. O'CONNOR: Objection to 14:38:39  form. 14:38:40  THE WITNESS: I do not have any 14:38:40  problem with that. 14:38:44  QUESTIONS BY MR. KO: 14:38:45  Q. Okay. National account 14:38:45  managers at Mallinckrodt were compensated on 14:38:47  a commission or excuse me. 14:38:48  Do you have an understanding of 14:38:50	5 6 7 8 9 10 11 12 13	includes NAMs and customer service reps 14:40:33 from the peculiar order/suspicious order 14:40:37 review system? 14:40:41 A. No. 14:40:43 Q. Okay. You can set this 14:40:43 document aside. 14:40:53 (Mallinckrodt-Harper Exhibit 14 14:40:57 marked for identification.) 14:40:58 QUESTIONS BY MR. KO: 14:40:58 what will be marked as Harper Exhibit 14. 14:40:59 Now, do you recall I know 14:41:35
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6 7 8 9 10 11 12 13 14 15 16	MR. O'CONNOR: Objection to 14:38:39 form. 14:38:40  THE WITNESS: I do not have any 14:38:40 problem with that. 14:38:44  QUESTIONS BY MR. KO: 14:38:45  Q. Okay. National account 14:38:45 managers at Mallinckrodt were compensated on 14:38:47 a commission or excuse me. 14:38:48  Do you have an understanding of 14:38:50 how national account managers were 14:38:52 compensated? 14:38:53  A. I do not. 14:38:53  Q. Do you understand that national 14:38:54 account managers had a received a 14:38:58	5 6 7 8 9 10 11 12 13 14 15 16	includes NAMs and customer service reps 14:40:33 from the peculiar order/suspicious order 14:40:37 review system? 14:40:41 A. No. 14:40:43 Q. Okay. You can set this 14:40:43 document aside. 14:40:53 (Mallinckrodt-Harper Exhibit 14 14:40:57 marked for identification.) 14:40:58 QUESTIONS BY MR. KO: 14:40:58 what will be marked as Harper Exhibit 14. 14:40:59 Now, do you recall I know 14:41:35 you said you didn't recall the specifics of 14:41:54 how NAMs were compensated at Mallinckrodt, 14:41:57 but do you know whether or not they received 14:41:59
6 7 8 9 10 11 12 13 14 15 16 17	MR. O'CONNOR: Objection to 14:38:39  form. 14:38:40  THE WITNESS: I do not have any 14:38:40 problem with that. 14:38:44  QUESTIONS BY MR. KO: 14:38:45  Q. Okay. National account 14:38:45 managers at Mallinckrodt were compensated on 14:38:47 a commission or excuse me. 14:38:48  Do you have an understanding of 14:38:50 how national account managers were 14:38:52 compensated? 14:38:53  A. I do not. 14:38:53  Q. Do you understand that national 14:38:54 account managers had a received a 14:38:58 commission based on the amount of sales 14:39:01	5 6 7 8 9 10 11 12 13 14 15 16 17	includes NAMs and customer service reps 14:40:33 from the peculiar order/suspicious order 14:40:37 review system? 14:40:41  A. No. 14:40:43 Q. Okay. You can set this 14:40:53 (Mallinckrodt-Harper Exhibit 14 14:40:57 marked for identification.) 14:40:58 QUESTIONS BY MR. KO: 14:40:58 Q. I'm going to hand you a copy of 14:40:58 what will be marked as Harper Exhibit 14. 14:40:59 Now, do you recall I know 14:41:35 you said you didn't recall the specifics of 14:41:54 how NAMs were compensated at Mallinckrodt, 14:41:57 but do you know whether or not they received 14:41:59 any bonuses based in part of the volume of 14:42:01
6 7 8 9 10 11 12 13 14 15 16 17 18	MR. O'CONNOR: Objection to 14:38:39 form. 14:38:40  THE WITNESS: I do not have any 14:38:40 problem with that. 14:38:44  QUESTIONS BY MR. KO: 14:38:45 Q. Okay. National account 14:38:45 managers at Mallinckrodt were compensated on 14:38:47 a commission or excuse me. 14:38:48 Do you have an understanding of 14:38:50 how national account managers were 14:38:52 compensated? 14:38:53 A. I do not. 14:38:53 Q. Do you understand that national 14:38:54 account managers had a received a 14:38:58 commission based on the amount of sales 14:39:01 activity that they were able to retain? 14:39:04	5 6 7 8 9 10 11 12 13 14 15 16 17 18	includes NAMs and customer service reps 14:40:33 from the peculiar order/suspicious order 14:40:37 review system? 14:40:41 A. No. 14:40:43 Q. Okay. You can set this 14:40:43 document aside. 14:40:53 (Mallinckrodt-Harper Exhibit 14 14:40:57 marked for identification.) 14:40:58 QUESTIONS BY MR. KO: 14:40:58 Q. I'm going to hand you a copy of 14:40:58 what will be marked as Harper Exhibit 14. 14:40:59 Now, do you recall I know 14:41:35 you said you didn't recall the specifics of 14:41:54 how NAMs were compensated at Mallinckrodt, 14:41:57 but do you know whether or not they received 14:41:59 any bonuses based in part of the volume of 14:42:01 their sales of controlled substances 14:42:03
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR. O'CONNOR: Objection to 14:38:39 form. 14:38:40  THE WITNESS: I do not have any 14:38:40 problem with that. 14:38:44  QUESTIONS BY MR. KO: 14:38:45  Q. Okay. National account 14:38:45 managers at Mallinckrodt were compensated on 14:38:47 a commission or excuse me. 14:38:48  Do you have an understanding of 14:38:50 how national account managers were 14:38:52 compensated? 14:38:53  A. I do not. 14:38:53  Q. Do you understand that national 14:38:54 account managers had a received a 14:38:58 commission based on the amount of sales 14:39:01 activity that they were able to retain? 14:39:06	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	includes NAMs and customer service reps 14:40:33 from the peculiar order/suspicious order 14:40:37 review system? 14:40:41 A. No. 14:40:43 Q. Okay. You can set this 14:40:43 document aside. 14:40:53 (Mallinckrodt-Harper Exhibit 14 14:40:57 marked for identification.) 14:40:58 QUESTIONS BY MR. KO: 14:40:58  Q. I'm going to hand you a copy of 14:40:58 what will be marked as Harper Exhibit 14. 14:40:59 Now, do you recall I know 14:41:35 you said you didn't recall the specifics of 14:41:54 how NAMs were compensated at Mallinckrodt, 14:41:57 but do you know whether or not they received 14:41:59 any bonuses based in part of the volume of 14:42:01 their sales of controlled substances 14:42:03 manufactured by Mallinckrodt? 14:42:05
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR. O'CONNOR: Objection to 14:38:39 form. 14:38:40  THE WITNESS: I do not have any 14:38:40 problem with that. 14:38:44  QUESTIONS BY MR. KO: 14:38:45  Q. Okay. National account 14:38:45 managers at Mallinckrodt were compensated on 14:38:47 a commission or excuse me. 14:38:48 Do you have an understanding of 14:38:50 how national account managers were 14:38:52 compensated? 14:38:53  A. I do not. 14:38:53 Q. Do you understand that national 14:38:54 account managers had a received a 14:38:58 commission based on the amount of sales 14:39:01 activity that they were able to retain? 14:39:04 A. I don't know how their pay is 14:39:06 structured. 14:39:08	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	includes NAMs and customer service reps 14:40:33 from the peculiar order/suspicious order 14:40:37 review system? 14:40:41 A. No. 14:40:43 Q. Okay. You can set this 14:40:43 document aside. 14:40:53 (Mallinckrodt-Harper Exhibit 14 14:40:57 marked for identification.) 14:40:58 QUESTIONS BY MR. KO: 14:40:58  Q. I'm going to hand you a copy of 14:40:58 what will be marked as Harper Exhibit 14. 14:40:59 Now, do you recall I know 14:41:35 you said you didn't recall the specifics of 14:41:54 how NAMs were compensated at Mallinckrodt, 14:41:57 but do you know whether or not they received 14:41:59 any bonuses based in part of the volume of 14:42:01 their sales of controlled substances 14:42:03 manufactured by Mallinckrodt? 14:42:05 A. I do not know. 14:42:06
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6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR. O'CONNOR: Objection to 14:38:39 form. 14:38:40  THE WITNESS: I do not have any 14:38:40 problem with that. 14:38:44  QUESTIONS BY MR. KO: 14:38:45  Q. Okay. National account 14:38:45 managers at Mallinckrodt were compensated on 14:38:47 a commission or excuse me. 14:38:48 Do you have an understanding of 14:38:50 how national account managers were 14:38:52 compensated? 14:38:53  A. I do not. 14:38:53 Q. Do you understand that national 14:38:54 account managers had a received a 14:38:58 commission based on the amount of sales 14:39:01 activity that they were able to retain? 14:39:04 A. I don't know how their pay is 14:39:06 structured. 14:39:08	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	includes NAMs and customer service reps 14:40:33 from the peculiar order/suspicious order 14:40:37 review system? 14:40:41 A. No. 14:40:43 Q. Okay. You can set this 14:40:43 document aside. 14:40:53 (Mallinckrodt-Harper Exhibit 14 14:40:57 marked for identification.) 14:40:58 QUESTIONS BY MR. KO: 14:40:58 what will be marked as Harper Exhibit 14. 14:40:59 Now, do you recall I know 14:41:35 you said you didn't recall the specifics of 14:41:54 how NAMs were compensated at Mallinckrodt, 14:41:57 but do you know whether or not they received 14:41:59 any bonuses based in part of the volume of 14:42:01 their sales of controlled substances 14:42:03 manufactured by Mallinckrodt? 14:42:05 A. I do not know. 14:42:06

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1	that basis? 14:42:11	1	QUESTIONS BY MR. KO: 14:43:47
2	A. Nope. 14:42:12	2	Q. Correct. 14:43:47
3	Q. How come you never inquired 14:42:13	3	But for some? 14:43:47
4	about that? 14:42:15	4	A. For some, yes. 14:43:48
5	A. Because the controlled 14:42:15	5	Q. Okay. So is it the case that 14:43:50
6	substances compliance group operated, to the 14:42:19	6	for some orders, national account managers 14:43:53
7	extent it was possible, autonomously unless 14:42:21	7	played an integral role in determining 14:43:56
8	we needed guidance from the NAMs on specific 14:42:27	8	whether or not a peculiar order was 14:43:59
9	orders. So I never knew how they were 14:42:30	9	ultimately determined to be suspicious? 14:44:00
10	compensated, why. I don't know how much 14:42:32	10	MR. O'CONNOR: Objection to 14:44:02
11	oxycodone was sold for. I don't know any of 14:42:34	11	form. 14:44:03
12	the financial pieces of that. 14:42:38	12	THE WITNESS: They assisted in 14:44:03
13	Q. Sure. 14:42:38	13	the review, and the ultimate decision 14:44:05
14	A. Thank you. 14:42:40	14	about whether the order was suspicious 14:44:06
15	Q. Okay. And you say that you 14:42:41	15	or not rests always did rest with 14:44:08
16	needed at times you needed guidance from 14:42:45	16	the controlled substances compliance 14:44:11
17	them on specific you needed guidance from 14:42:47	17	group. 14:44:12
18	NAMs on specific orders 14:42:50	18	QUESTIONS BY MR. KO: 14:44:12
19	A. Uh-huh. 14:42:53	19	Q. Including you and Mr. Ratliff, 14:44:13
20	Q with respect to identifying 14:42:53	20	among other people, correct? 14:44:14
21	a peculiar or suspicious order, correct? 14:42:55	21	A. Correct. 14:44:15
22	A. Not identifying but reviewing. 14:42:57	22	Q. Okay. So if in the scenario 14:44:16
23	Q. Reviewing. 14:43:00	23	we were just discussing, if the national 14:44:21
24	With the ultimate goal of 14:43:01	24	account manager well, strike that. 14:44:25
25	trying to determine whether or not that order 14:43:02	25	When the national account 14:44:28
	Page 291		Page 293
1	was suspicious, correct? 14:43:04	1	manager was assisting in the review of 14:44:38
2	A. Correct. 14:43:05	2	whether or not a peculiar order was deemed 14:44:39
3	Q. So NAMs played would you 14:43:06	3	was going to be deemed as suspicious or not, 14:44:43
4	agree with me that NAMs played an integral 14:43:10	4	can you think of any instances in which the 14:44:46
5	role in determining whether or not an order 14:43:13	5	input of the national account manager was the 14:44:53
6	could potentially be suspicious? 14:43:15	6	1
7		0	only input you received in making a 14:44:55
'	MR. O'CONNOR: Objection to 14:43:16	7	determination of whether or not the order was 14:44:57
8	MR. O'CONNOR: Objection to 14:43:16 form. 14:43:18		• • •
	form. 14:43:18 THE WITNESS: Certain orders. 14:43:18	7	determination of whether or not the order was 14:44:57 suspicious? 14:44:59  A. Yes, outside of the controlled 14:45:00
8	form. 14:43:18  THE WITNESS: Certain orders. 14:43:18  May I explain or 14:43:21	7 8	determination of whether or not the order was 14:44:57 suspicious? 14:44:59  A. Yes, outside of the controlled 14:45:00 substances compliance group, yes. 14:45:06
8 9 10 11	form. 14:43:18  THE WITNESS: Certain orders. 14:43:18  May I explain or 14:43:21  QUESTIONS BY MR. KO: 14:43:23	7 8 9	determination of whether or not the order was 14:44:57 suspicious? 14:44:59  A. Yes, outside of the controlled 14:45:00 substances compliance group, yes. 14:45:06  Q. Were there instances in which 14:45:07
8 9 10 11 12	form. 14:43:18  THE WITNESS: Certain orders. 14:43:18  May I explain or 14:43:21  QUESTIONS BY MR. KO: 14:43:23  Q. Well, let me certain orders. 14:43:24	7 8 9 10 11 12	determination of whether or not the order was 14:44:57 suspicious? 14:44:59  A. Yes, outside of the controlled 14:45:00 substances compliance group, yes. 14:45:06  Q. Were there instances in which 14:45:07 the determination that the that you and 14:45:14
8 9 10 11 12 13	form. 14:43:18  THE WITNESS: Certain orders. 14:43:18  May I explain or 14:43:21  QUESTIONS BY MR. KO: 14:43:23  Q. Well, let me certain orders. 14:43:24  Do you mean certain orders that were 14:43:25	7 8 9 10 11 12 13	determination of whether or not the order was 14:44:57 suspicious? 14:44:59  A. Yes, outside of the controlled 14:45:00 substances compliance group, yes. 14:45:06  Q. Were there instances in which 14:45:07 the determination that the that you and 14:45:14  Mr. Ratliff made as to whether an order was 14:45:17
8 9 10 11 12 13	form. 14:43:18  THE WITNESS: Certain orders. 14:43:18  May I explain or 14:43:21  QUESTIONS BY MR. KO: 14:43:23  Q. Well, let me certain orders. 14:43:24  Do you mean certain orders that were 14:43:25  previously flagged as peculiar? 14:43:27	7 8 9 10 11 12 13	determination of whether or not the order was 14:44:57 suspicious? 14:44:59  A. Yes, outside of the controlled 14:45:00 substances compliance group, yes. 14:45:06  Q. Were there instances in which 14:45:07 the determination that the that you and 14:45:14  Mr. Ratliff made as to whether an order was 14:45:17 suspicious or not relied solely on the input 14:45:19
8 9 10 11 12 13 14	form. 14:43:18  THE WITNESS: Certain orders. 14:43:18  May I explain or 14:43:21  QUESTIONS BY MR. KO: 14:43:23  Q. Well, let me certain orders. 14:43:24  Do you mean certain orders that were 14:43:25  previously flagged as peculiar? 14:43:27  A. Yes. 14:43:28	7 8 9 10 11 12 13 14 15	determination of whether or not the order was 14:44:57 suspicious? 14:44:59  A. Yes, outside of the controlled 14:45:00 substances compliance group, yes. 14:45:06  Q. Were there instances in which 14:45:07 the determination that the that you and 14:45:14 Mr. Ratliff made as to whether an order was 14:45:17 suspicious or not relied solely on the input 14:45:19 of a national account manager? 14:45:23
8 9 10 11 12 13 14 15	form. 14:43:18  THE WITNESS: Certain orders. 14:43:18  May I explain or 14:43:21  QUESTIONS BY MR. KO: 14:43:23  Q. Well, let me certain orders. 14:43:24  Do you mean certain orders that were 14:43:25  previously flagged as peculiar? 14:43:27  A. Yes. 14:43:28  Q. Okay. So once an order was 14:43:29	7 8 9 10 11 12 13 14 15	determination of whether or not the order was 14:44:57 suspicious? 14:44:59  A. Yes, outside of the controlled 14:45:00 substances compliance group, yes. 14:45:06  Q. Were there instances in which 14:45:07 the determination that the that you and 14:45:14  Mr. Ratliff made as to whether an order was 14:45:17 suspicious or not relied solely on the input 14:45:19 of a national account manager? 14:45:23  A. Yes. 14:45:24
8 9 10 11 12 13 14 15 16 17	form. 14:43:18  THE WITNESS: Certain orders. 14:43:18  May I explain or 14:43:21  QUESTIONS BY MR. KO: 14:43:23  Q. Well, let me certain orders. 14:43:24  Do you mean certain orders that were 14:43:25  previously flagged as peculiar? 14:43:27  A. Yes. 14:43:28  Q. Okay. So once an order was 14:43:29  flagged as peculiar, is it accurate to say 14:43:30	7 8 9 10 11 12 13 14 15 16 17	determination of whether or not the order was 14:44:57 suspicious? 14:44:59  A. Yes, outside of the controlled 14:45:00 substances compliance group, yes. 14:45:06  Q. Were there instances in which 14:45:07 the determination that the that you and 14:45:14 Mr. Ratliff made as to whether an order was 14:45:17 suspicious or not relied solely on the input 14:45:19 of a national account manager? 14:45:23  A. Yes. 14:45:24  QUESTIONS BY MR. KO: 14:45:43
8 9 10 11 12 13 14 15 16 17	form. 14:43:18  THE WITNESS: Certain orders. 14:43:18  May I explain or 14:43:21  QUESTIONS BY MR. KO: 14:43:23  Q. Well, let me certain orders. 14:43:24  Do you mean certain orders that were 14:43:25  previously flagged as peculiar? 14:43:27  A. Yes. 14:43:28  Q. Okay. So once an order was 14:43:29  flagged as peculiar, is it accurate to say 14:43:30  that NAMs played an integral role in 14:43:34	7 8 9 10 11 12 13 14 15 16 17	determination of whether or not the order was 14:44:57 suspicious? 14:44:59  A. Yes, outside of the controlled 14:45:00 substances compliance group, yes. 14:45:06  Q. Were there instances in which 14:45:07 the determination that the that you and 14:45:14 Mr. Ratliff made as to whether an order was 14:45:17 suspicious or not relied solely on the input 14:45:19 of a national account manager? 14:45:23  A. Yes. 14:45:24  QUESTIONS BY MR. KO: 14:45:38
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8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	form. 14:43:18  THE WITNESS: Certain orders. 14:43:18  May I explain or 14:43:21  QUESTIONS BY MR. KO: 14:43:23  Q. Well, let me certain orders. 14:43:24  Do you mean certain orders that were 14:43:25  previously flagged as peculiar? 14:43:27  A. Yes. 14:43:28  Q. Okay. So once an order was 14:43:29  flagged as peculiar, is it accurate to say 14:43:30  that NAMs played an integral role in 14:43:34  determining whether or not that peculiar 14:43:39  order was ultimately deemed to be suspicious 14:43:41  sufficient to notify the DEA? 14:43:45  MR. O'CONNOR: Objection to 14:43:46	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	determination of whether or not the order was 14:44:57 suspicious? 14:44:59  A. Yes, outside of the controlled 14:45:00 substances compliance group, yes. 14:45:06  Q. Were there instances in which 14:45:07 the determination that the that you and 14:45:14 Mr. Ratliff made as to whether an order was 14:45:17 suspicious or not relied solely on the input 14:45:19 of a national account manager? 14:45:23  A. Yes. 14:45:24  QUESTIONS BY MR. KO: 14:45:43  Q. Okay. I'm going to hand you a 14:45:38 copy of what's going to be marked as Harper 14:45:40 Exhibit 14. 14:45:43  MR. KO: And this is, for the 14:45:46 record, an e-mail from Dave Hunter to 14:45:51
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	form. 14:43:18  THE WITNESS: Certain orders. 14:43:18  May I explain or 14:43:21  QUESTIONS BY MR. KO: 14:43:23  Q. Well, let me certain orders. 14:43:24  Do you mean certain orders that were 14:43:25  previously flagged as peculiar? 14:43:27  A. Yes. 14:43:28  Q. Okay. So once an order was 14:43:29  flagged as peculiar, is it accurate to say 14:43:30  that NAMs played an integral role in 14:43:34  determining whether or not that peculiar 14:43:39  order was ultimately deemed to be suspicious 14:43:41  sufficient to notify the DEA? 14:43:45  MR. O'CONNOR: Objection to 14:43:46  form. 14:43:46	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	determination of whether or not the order was 14:44:57 suspicious? 14:44:59  A. Yes, outside of the controlled 14:45:00 substances compliance group, yes. 14:45:06  Q. Were there instances in which 14:45:07 the determination that the that you and 14:45:14 Mr. Ratliff made as to whether an order was 14:45:17 suspicious or not relied solely on the input 14:45:19 of a national account manager? 14:45:23  A. Yes. 14:45:24  QUESTIONS BY MR. KO: 14:45:43  Q. Okay. I'm going to hand you a 14:45:38 copy of what's going to be marked as Harper 14:45:40 Exhibit 14. 14:45:43  MR. KO: And this is, for the 14:45:46 record, an e-mail from Dave Hunter to 14:45:51 several people, including you, on 14:45:55
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	form. 14:43:18  THE WITNESS: Certain orders. 14:43:18  May I explain or 14:43:21  QUESTIONS BY MR. KO: 14:43:23  Q. Well, let me certain orders. 14:43:24  Do you mean certain orders that were 14:43:25  previously flagged as peculiar? 14:43:27  A. Yes. 14:43:28  Q. Okay. So once an order was 14:43:29  flagged as peculiar, is it accurate to say 14:43:30  that NAMs played an integral role in 14:43:34  determining whether or not that peculiar 14:43:39  order was ultimately deemed to be suspicious 14:43:41  sufficient to notify the DEA? 14:43:45  MR. O'CONNOR: Objection to 14:43:46	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	determination of whether or not the order was 14:44:57 suspicious? 14:44:59  A. Yes, outside of the controlled 14:45:00 substances compliance group, yes. 14:45:06  Q. Were there instances in which 14:45:07 the determination that the that you and 14:45:14 Mr. Ratliff made as to whether an order was 14:45:17 suspicious or not relied solely on the input 14:45:19 of a national account manager? 14:45:23  A. Yes. 14:45:24  QUESTIONS BY MR. KO: 14:45:43  Q. Okay. I'm going to hand you a 14:45:38 copy of what's going to be marked as Harper 14:45:40 Exhibit 14. 14:45:43  MR. KO: And this is, for the 14:45:46 record, an e-mail from Dave Hunter to 14:45:51

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	Page 294		Page 296
1	QUESTIONS BY MR. KO: 14:46:03	1	MR. O'CONNOR: Objection to 14:48:07
2	Q. Do you recall this or do you 14:46:13	2	form. 14:48:08
3	have any reason to dispute that you received 14:46:15	3	THE WITNESS: So all suspicious 14:48:08
4	this e-mail? 14:46:16	4	order monitoring systems, not 14:48:14
5	A. I have no reason to dispute. 14:46:17	5	necessarily unique to Mallinckrodt, 14:48:15
6	Q. Okay. And here Mr. Hunter is 14:46:18	6	yes. 14:48:16
7	attaching notes from the Buzzeo conference I 14:46:21	7	QUESTIONS BY MR. KO: 14:48:16
8	believe he attends in 2009; is that correct? 14:46:27	8	Q. Right. Right. 14:48:16
9	A. Yes. Seeing this, so, yes. 14:46:29	9	So as a general matter in 2009, 14:48:17
10	Q. Okay. And do you recall 14:46:33	10	would you agree with the statement that 14:48:19
11	attending this particular Buzzeo conference 14:46:34	11	suspicious order monitoring continued to be 14:48:22
12	as well? 14:46:35	12	given close scrutiny by the DEA? 14:48:25
13	A. I do not. 14:46:35	13	A. Yes. 14:48:27
14	Q. Okay. So you recall attending 14:46:36	14	Q. Okay. And the question is 14:48:28
15	the 2008 Buzzeo conference with Ms. Stewart, 14:46:39	15	asked, "Are there any plans for DEA to 14:48:31
16	but you don't recall attending this 14:46:41	16	publicize information to implement?" 14:48:35
17	conference with Mr. Hunter; is that fair? 14:46:43	17	Do you see that? 14:48:37
18	A. That's fair. 14:46:46	18	A. Yes. 14:48:38
19	Q. Okay. Do you recall Mr. Hunter 14:46:48	19	Q. "SOM incorporate algorithms 14:48:39 where products are more likely to be 14:48:43
20	sending these notes to you about what 14:46:54	20	where products are more likely to be 14:48:43 diverted." 14:48:45
21	transpired at this particular Buzzeo 14:46:59 conference? 14:47:01	21	
22			Did I read that correctly as 14:48:47
	A. I do not specifically recall 14:47:02	23	well? 14:48:48
24	it, but I can refamiliarize myself with the 14:47:05 content. 14:47:08	25	A. You did. 14:48:48
25	content. 14:47:08	25	Q. Okay. And there is a response 14:48:50
	Page 295		Page 297
1	Q. Sure. 14:47:08	_	
-	Q. Sure. 14:47:08	1	given by someone at DEA, it appears. 14:48:51
2	And there are notes. I just 14:47:09	2	given by someone at DEA, it appears. 14:48:51  Do you see that? 14:48:54
	And there are notes. I just 14:47:09 want to turn to the first page of notes that 14:47:11		
2	And there are notes. I just 14:47:09 want to turn to the first page of notes that 14:47:11 he drafts. These appear to be notes that he 14:47:17	2	Do you see that? 14:48:54
2 3	And there are notes. I just 14:47:09 want to turn to the first page of notes that 14:47:11	2 3	Do you see that? 14:48:54 A. Yes. 14:48:54
2 3 4	And there are notes. I just 14:47:09 want to turn to the first page of notes that 14:47:11 he drafts. These appear to be notes that he 14:47:17	2 3 4	Do you see that? 14:48:54  A. Yes. 14:48:54  Q. And that's Jim Crawford. 14:48:55  Did you know who he has? 14:48:57  A. Yes. 14:48:59
2 3 4 5	And there are notes. I just 14:47:09  want to turn to the first page of notes that 14:47:11  he drafts. These appear to be notes that he 14:47:17  has created following his attendance at the 14:47:20  2009 Buzzeo conference; is that correct? 14:47:24  A. Yes. 14:47:25	2 3 4 5	Do you see that? 14:48:54  A. Yes. 14:48:54  Q. And that's Jim Crawford. 14:48:55 Did you know who he has? 14:48:57  A. Yes. 14:48:59  Q. Okay. Did you communicate with 14:49:00
2 3 4 5 6	And there are notes. I just 14:47:09  want to turn to the first page of notes that 14:47:11  he drafts. These appear to be notes that he 14:47:17  has created following his attendance at the 14:47:20  2009 Buzzeo conference; is that correct? 14:47:24  A. Yes. 14:47:25  Q. And looking down at the bottom 14:47:28	2 3 4 5 6	Do you see that? 14:48:54  A. Yes. 14:48:54  Q. And that's Jim Crawford. 14:48:55  Did you know who he has? 14:48:57  A. Yes. 14:48:59  Q. Okay. Did you communicate with 14:49:00 him at all during the 2008, 2012 time period? 14:49:01
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2 3 4 5 6 7 8	And there are notes. I just 14:47:09  want to turn to the first page of notes that 14:47:11  he drafts. These appear to be notes that he 14:47:17  has created following his attendance at the 14:47:20  2009 Buzzeo conference; is that correct? 14:47:24  A. Yes. 14:47:25  Q. And looking down at the bottom 14:47:28  of this page, he indicates where I'm 14:47:32  highlighting right now, "Sir, suspicious 14:47:34	2 3 4 5 6 7 8	Do you see that? 14:48:54  A. Yes. 14:48:54  Q. And that's Jim Crawford. 14:48:55 Did you know who he has? 14:48:57  A. Yes. 14:48:59 Q. Okay. Did you communicate with 14:49:00 him at all during the 2008, 2012 time period? 14:49:01 A. No. 14:49:04 Q. Okay. But you just knew you 14:49:05
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2 3 4 5 6 7 8 9 10 11	And there are notes. I just 14:47:09  want to turn to the first page of notes that 14:47:11  he drafts. These appear to be notes that he 14:47:17  has created following his attendance at the 14:47:20  2009 Buzzeo conference; is that correct? 14:47:24  A. Yes. 14:47:25  Q. And looking down at the bottom 14:47:28  of this page, he indicates where I'm 14:47:32  highlighting right now, "Sir, suspicious 14:47:34  order monitoring was certainly a hotbed of discussion." 14:47:39	2 3 4 5 6 7 8 9 10 11	Do you see that? 14:48:54  A. Yes. 14:48:54  Q. And that's Jim Crawford. 14:48:55 Did you know who he has? 14:48:57  A. Yes. 14:48:59  Q. Okay. Did you communicate with 14:49:00 him at all during the 2008, 2012 time period? 14:49:01  A. No. 14:49:04  Q. Okay. But you just knew you 14:49:05 just knew who he was, but you didn't 14:49:08 necessarily communicate with him? 14:49:10
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2 3 4 5 6 7 8 9 10 11 12 13	And there are notes. I just 14:47:09  want to turn to the first page of notes that 14:47:11  he drafts. These appear to be notes that he 14:47:17  has created following his attendance at the 14:47:20  2009 Buzzeo conference; is that correct? 14:47:24  A. Yes. 14:47:25  Q. And looking down at the bottom 14:47:28  of this page, he indicates where I'm 14:47:32  highlighting right now, "Sir, suspicious 14:47:34  order monitoring was certainly a hotbed of 14:47:37  discussion." 14:47:40  A. So that's a question, yes, 14:47:40	2 3 4 5 6 7 8 9 10 11 12 13	Do you see that?  A. Yes. 14:48:54  Q. And that's Jim Crawford. 14:48:55 Did you know who he has? 14:48:57  A. Yes. 14:48:59 Q. Okay. Did you communicate with 14:49:00 him at all during the 2008, 2012 time period? 14:49:01 A. No. 14:49:04 Q. Okay. But you just knew you 14:49:05 just knew who he was, but you didn't 14:49:08 necessarily communicate with him? 14:49:10 A. Correct. He and Mark Caverly 14:49:11 spoke at the end of every Buzzeo conference. 14:49:15
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2 3 4 5 6 7 8 9 10 11 12 13 14 15	And there are notes. I just 14:47:09  want to turn to the first page of notes that 14:47:11  he drafts. These appear to be notes that he 14:47:17  has created following his attendance at the 14:47:20  2009 Buzzeo conference; is that correct? 14:47:24  A. Yes. 14:47:25  Q. And looking down at the bottom 14:47:38  of this page, he indicates where I'm 14:47:32  highlighting right now, "Sir, suspicious 14:47:34  order monitoring was certainly a hotbed of 14:47:37  discussion." 14:47:39  Do you see that? 14:47:40  A. So that's a question, yes, 14:47:40  that's a question as documented here. 14:47:44  Q. Right. 14:47:45	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Do you see that? 14:48:54  A. Yes. 14:48:54  Q. And that's Jim Crawford. 14:48:55 Did you know who he has? 14:48:57  A. Yes. 14:48:59 Q. Okay. Did you communicate with 14:49:00 him at all during the 2008, 2012 time period? 14:49:01 A. No. 14:49:04 Q. Okay. But you just knew you 14:49:05 just knew who he was, but you didn't 14:49:08 necessarily communicate with him? 14:49:10 A. Correct. He and Mark Caverly 14:49:11 spoke at the end of every Buzzeo conference. 14:49:15 Q. Got it. 14:49:16 And it's he says in response 14:49:17
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	Page 298		Page 300
1	some Q&As in which there is a question in 14:49:41	1	(Off the record at 2:51 p.m.) 14:51:40
2	which registrants are asking whether or not 14:49:44	2	VIDEOGRAPHER: We are back on 15:10:02
3	DEA will give guidance on an appropriate 14:49:48	3	the record at 3:10 p.m. 15:10:03
4	suspicious order monitoring algorithm. 14:49:54	4	QUESTIONS BY MR. KO: 15:10:05
5	Is that a fair characterization 14:49:55	5	Q. Now, Mr. Harper {sic}, is it 15:10:08
6	of the question that was asked? 14:49:56	6	fair to say from the 2008 through 2009 time 15:10:10
7	MR. O'CONNOR: Objection to 14:49:58	7	period you are continually working to revise 15:10:16
8	form. 14:49:58	8	and improve the enhanced suspicious order 15:10:17
9	THE WITNESS: Yes. 14:49:58	9	monitoring system at Mallinckrodt, correct? 15:10:20
10	QUESTIONS BY MR. KO: 14:49:59	10	A. Correct. 15:10:22
11	Q. And the response given was that 14:49:59	11	Q. Okay. And you also continue to 15:10:22
12	DEA was not going to provide such concrete 14:50:03	12	work on peculiar order algorithms in the 2008 15:10:27
13	guidance; is that correct? 14:50:06	13	through 2009 time period, correct? 15:10:33
14	A. I'd like to reread the answer, 14:50:06	14	A. Correct. 15:10:34
15	please. 14:50:10	15	Q. And with respect to the 15:10:34
16	Q. Sure. 14:50:10	16	checklists we were discussing previously, 15:10:36
17	A. Yes, that's the gist of the 14:50:11	17	you're continually working on revising and 15:10:38
18	response, yes. 14:50:19	18	implementing a both a new customer 15:10:41
19	Q. Okay. So as of the fall 14:50:20	19	checklist and a customer checklist throughout 15:10:45
20	of 2009, is it accurate to say that 14:50:22	20	the 2008 and 2009 time period, correct? 15:10:47
21	Mr. Hunter informed you that the DEA was not 14:50:27	21	A. Correct. 15:10:49
22	going to give concrete guidance as to what 14:50:31	22	(Mallinckrodt-Harper Exhibit 15 15:11:00
23	particular algorithm to implement? 14:50:33	23	marked for identification.) 15:11:00
24	A. Yes. 14:50:35	24	QUESTIONS BY MR. KO: 15:11:00
25	Q. Okay. Now, the following 14:50:36	25	Q. Okay. I'm going to hand you a 15:11:01
	D 200		D 201
	Page 299		Page 301
1	Page 299 question by someone in the audience was, 14:50:39	1	Page 301 copy of what's going to be marked as Harper 15:11:02
1 2	question by someone in the audience was, 14:50:39	1 2	copy of what's going to be marked as Harper 15:11:02
	question by someone in the audience was, 14:50:39 "Well, what then does the DEA expect?" 14:50:43		copy of what's going to be marked as Harper 15:11:02
2	question by someone in the audience was, 14:50:39 "Well, what then does the DEA expect?" 14:50:43 And a response was given by 14:50:45	2	copy of what's going to be marked as Harper 15:11:02 Exhibit 15. And in conjunction with that, 15:11:06 I'm going to hand you also a document that's 15:11:13
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2 3 4 5	question by someone in the audience was, 14:50:39  "Well, what then does the DEA expect?" 14:50:43  And a response was given by 14:50:45  Mr. Caverly. It says, quote, "Previously DEA 14:50:47 sat down with National Drug Association with 14:50:51 an algorithm. DEA standpoint: You know our 14:50:55	2 3 4 5	copy of what's going to be marked as Harper 15:11:02 Exhibit 15. And in conjunction with that, 15:11:06 I'm going to hand you also a document that's 15:11:13 previously been identified as Exhibit 35 of 15:11:14 the Stewart deposition. They're both right 15:11:16
2 3 4 5 6	question by someone in the audience was, 14:50:39 "Well, what then does the DEA expect?" 14:50:43  And a response was given by 14:50:45  Mr. Caverly. It says, quote, "Previously DEA 14:50:47 sat down with National Drug Association with 14:50:51 an algorithm. DEA standpoint: You know our 14:50:55 customers better than we do. DEA stepped 14:50:59	2 3 4 5 6	copy of what's going to be marked as Harper 15:11:02 Exhibit 15. And in conjunction with that, 15:11:06 I'm going to hand you also a document that's 15:11:13 previously been identified as Exhibit 35 of 15:11:14 the Stewart deposition. They're both right 15:11:16 here. 15:11:22 For the record, Harper 15:11:23
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	<u> </u>		
	Page 302		Page 304
1	Q. And in fact, that work 15:12:23	1	A. "Basically, during the last two 15:14:06
2	continues in 2011 as well? 15:12:25	2	years, all peculiar orders that were on the 15:14:09
3	A. Yes. 15:12:27	3	daily report were investigated by CSR 15:14:13
4	Q. When would you say you actually 15:12:28	4	manager, were deemed to be okay, and none 15:14:18
5	implemented a procedure or an SOM policy that 15:12:31	5	rose to the level of peculiar. As you will 15:14:21
6	sufficiently addressed some of the concerns 15:12:37	6	see, it was not feasible to forward the 15:14:26
7	you raised in the 2008 time period with 15:12:41	7	peculiar order report to DEA due to the 15:14:28
8	respect to Mallinckrodt's SOM program? 15:12:43	8	lengthiness as we were tweaking the 15:14:34
9	MR. O'CONNOR: Objection. 15:12:46	9	algorithms." 15:14:36
10	Form. 15:12:46	10	Q. Okay. And in the e-mail above, 15:14:37
11	THE WITNESS: I don't know the 15:12:46	11	you amend your statement about none rising to 15:14:40
12	first date of the publication. Again, 15:12:47	12	the level of peculiar. And what you actually 15:14:45
13	just as the program is constantly 15:12:50	13	meant was that no peculiar orders rose to the 15:14:47
14	being enhanced, we're constantly 15:12:53	14	level of suspicious; is that correct? 15:14:50
15	updating our procedure, so I don't 15:12:56	15	A. That is correct. 15:14:52
16	have the date of the publication. I'm 15:12:57	16	Q. So as of October 31, 2010, is 15:14:53
17	sorry. 15:12:58	17	it accurate to say that Mallinckrodt did not 15:14:59
18	QUESTIONS BY MR. KO: 15:12:58	18	identify a single suspicious order between 15:15:02
19	Q. And is it do you have a 15:12:59	19	beginning of 2000 excuse me, between 15:15:07
20	general understanding of the approximate time 15:13:01	20	August of 2008 to October 31, 2010? 15:15:11
21	period of the date of publication? 15:13:03	21	MR. O'CONNOR: Objection to 15:15:15
22	Do you recall whether or not it 15:13:04	22	form. 15:15:17
23	was after 2011? 15:13:05	23	THE WITNESS: None that rose to 15:15:17
24	A. I don't recall. 15:13:07	24	the level of suspicious and reported 15:15:19
25	Q. Okay. 15:13:08	25	to DEA, that is correct. 15:15:22
			7
	Page 303		Page 305
1	A. I just don't know. 15:13:08	1	QUESTIONS BY MR. KO: 15:15:23
2	Q. You remember a meeting you had 15:13:09	2	Q. Right. 15:15:24
3	with DEA in 2011, often referred to as the 15:13:12	3	And so we had discussed earlier 15:15:24
		١.	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
4	earthquake meeting? Correct? 15:13:14	4	about the significant amount of diversion and 15:15:30
5	A. Yes. 15:13:16	5	abuse of Mallinckrodt pills that occurred in 15:15:34
5	A. Yes. 15:13:16 Q. And it's referred to in that 15:13:17	5	abuse of Mallinckrodt pills that occurred in 15:15:34 Florida in the 2008 through 2012 time period. 15:15:36
5 6 7	A. Yes. 15:13:16 Q. And it's referred to in that 15:13:17 manner because there was an earthquake that 15:13:18	5 6 7	abuse of Mallinckrodt pills that occurred in 15:15:34  Florida in the 2008 through 2012 time period. 15:15:36  Do you recall that? 15:15:38
5 6 7 8	A. Yes. 15:13:16 Q. And it's referred to in that 15:13:17 manner because there was an earthquake that 15:13:18 day outside of DC, in Virginia in particular? 15:13:20	5 6 7 8	abuse of Mallinckrodt pills that occurred in 15:15:34 Florida in the 2008 through 2012 time period. 15:15:36 Do you recall that? 15:15:38 MR. O'CONNOR: Objection. 15:15:38
5 6 7 8 9	A. Yes. 15:13:16 Q. And it's referred to in that 15:13:17 manner because there was an earthquake that 15:13:18 day outside of DC, in Virginia in particular? 15:13:20 A. Yes. 15:13:23	5 6 7 8	abuse of Mallinckrodt pills that occurred in 15:15:34 Florida in the 2008 through 2012 time period. 15:15:36 Do you recall that? 15:15:38 MR. O'CONNOR: Objection. 15:15:38 THE WITNESS: Significant is 15:15:39
5 6 7 8 9	A. Yes. 15:13:16 Q. And it's referred to in that 15:13:17 manner because there was an earthquake that 15:13:18 day outside of DC, in Virginia in particular? 15:13:20 A. Yes. 15:13:23 Q. As of the date of that meeting, 15:13:24	5 6 7 8 9	abuse of Mallinckrodt pills that occurred in 15:15:34 Florida in the 2008 through 2012 time period. 15:15:36 Do you recall that? 15:15:38 MR. O'CONNOR: Objection. 15:15:38 THE WITNESS: Significant is 15:15:39 your word, but, yes, the diversion, 15:15:40
5 6 7 8 9 10 11	A. Yes. 15:13:16 Q. And it's referred to in that 15:13:17 manner because there was an earthquake that 15:13:18 day outside of DC, in Virginia in particular? 15:13:20 A. Yes. 15:13:23 Q. As of the date of that meeting, 15:13:24 you had not yet adopted a formal procedure 15:13:28	5 6 7 8 9 10	abuse of Mallinckrodt pills that occurred in 15:15:34 Florida in the 2008 through 2012 time period. 15:15:36 Do you recall that? 15:15:38 MR. O'CONNOR: Objection. 15:15:38 THE WITNESS: Significant is 15:15:39 your word, but, yes, the diversion, 15:15:40 yes. 15:15:42
5 6 7 8 9 10 11 12	A. Yes. 15:13:16 Q. And it's referred to in that 15:13:17 manner because there was an earthquake that 15:13:18 day outside of DC, in Virginia in particular? 15:13:20 A. Yes. 15:13:23 Q. As of the date of that meeting, 15:13:24 you had not yet adopted a formal procedure 15:13:28 for the enhanced SOM program, correct? 15:13:31	5 6 7 8 9 10 11	abuse of Mallinckrodt pills that occurred in 15:15:34 Florida in the 2008 through 2012 time period. 15:15:36 Do you recall that? 15:15:38 MR. O'CONNOR: Objection. 15:15:38 THE WITNESS: Significant is 15:15:39 your word, but, yes, the diversion, 15:15:40 yes. 15:15:42 QUESTIONS BY MR. KO: 15:15:42
5 6 7 8 9 10 11 12 13	A. Yes. 15:13:16 Q. And it's referred to in that 15:13:17 manner because there was an earthquake that 15:13:18 day outside of DC, in Virginia in particular? 15:13:20 A. Yes. 15:13:23 Q. As of the date of that meeting, 15:13:24 you had not yet adopted a formal procedure 15:13:28 for the enhanced SOM program, correct? 15:13:31 MR. O'CONNOR: Objection to 15:13:34	5 6 7 8 9 10 11 12 13	abuse of Mallinckrodt pills that occurred in 15:15:34 Florida in the 2008 through 2012 time period. 15:15:36 Do you recall that? 15:15:38 MR. O'CONNOR: Objection. 15:15:38 THE WITNESS: Significant is 15:15:39 your word, but, yes, the diversion, 15:15:40 yes. 15:15:42 QUESTIONS BY MR. KO: 15:15:42 Q. You recall that we discussed 15:15:44
5 6 7 8 9 10 11 12 13	A. Yes. 15:13:16 Q. And it's referred to in that 15:13:17 manner because there was an earthquake that 15:13:18 day outside of DC, in Virginia in particular? 15:13:20 A. Yes. 15:13:23 Q. As of the date of that meeting, 15:13:24 you had not yet adopted a formal procedure 15:13:28 for the enhanced SOM program, correct? 15:13:31 MR. O'CONNOR: Objection to 15:13:34 form. 15:13:35	5 6 7 8 9 10 11 12 13	abuse of Mallinckrodt pills that occurred in 15:15:34 Florida in the 2008 through 2012 time period. 15:15:36 Do you recall that? 15:15:38 MR. O'CONNOR: Objection. 15:15:38 THE WITNESS: Significant is 15:15:39 your word, but, yes, the diversion, 15:15:40 yes. 15:15:42 QUESTIONS BY MR. KO: 15:15:42 Q. You recall that we discussed 15:15:44 diversion and abuse of Mallinckrodt pills 15:15:47
5 6 7 8 9 10 11 12 13 14	A. Yes. 15:13:16 Q. And it's referred to in that 15:13:17 manner because there was an earthquake that 15:13:18 day outside of DC, in Virginia in particular? 15:13:20 A. Yes. 15:13:23 Q. As of the date of that meeting, 15:13:24 you had not yet adopted a formal procedure 15:13:28 for the enhanced SOM program, correct? 15:13:31 MR. O'CONNOR: Objection to 15:13:34 form. 15:13:35 THE WITNESS: I don't know what 15:13:35	5 6 7 8 9 10 11 12 13 14 15	abuse of Mallinckrodt pills that occurred in 15:15:34  Florida in the 2008 through 2012 time period. 15:15:36  Do you recall that? 15:15:38  MR. O'CONNOR: Objection. 15:15:38  THE WITNESS: Significant is 15:15:39  your word, but, yes, the diversion, 15:15:40  yes. 15:15:42  QUESTIONS BY MR. KO: 15:15:42  Q. You recall that we discussed 15:15:44  diversion and abuse of Mallinckrodt pills 15:15:47  occurring in Florida throughout the 2008 15:15:49
5 6 7 8 9 10 11 12 13 14 15	A. Yes. 15:13:16 Q. And it's referred to in that 15:13:17 manner because there was an earthquake that 15:13:18 day outside of DC, in Virginia in particular? 15:13:20 A. Yes. 15:13:23 Q. As of the date of that meeting, 15:13:24 you had not yet adopted a formal procedure 15:13:28 for the enhanced SOM program, correct? 15:13:31 MR. O'CONNOR: Objection to 15:13:34 form. 15:13:35 THE WITNESS: I don't know what 15:13:35 date we wrote the procedure, so I 15:13:36	5 6 7 8 9 10 11 12 13 14 15 16	abuse of Mallinckrodt pills that occurred in 15:15:34 Florida in the 2008 through 2012 time period. 15:15:36 Do you recall that? 15:15:38 MR. O'CONNOR: Objection. 15:15:38 THE WITNESS: Significant is 15:15:39 your word, but, yes, the diversion, 15:15:40 yes. 15:15:42 QUESTIONS BY MR. KO: 15:15:42 Q. You recall that we discussed 15:15:44 diversion and abuse of Mallinckrodt pills 15:15:47 occurring in Florida throughout the 2008 15:15:49 through 2012 time period, correct? 15:15:51
5 6 7 8 9 10 11 12 13 14 15 16 17	A. Yes. 15:13:16 Q. And it's referred to in that 15:13:17 manner because there was an earthquake that 15:13:18 day outside of DC, in Virginia in particular? 15:13:20 A. Yes. 15:13:23 Q. As of the date of that meeting, 15:13:24 you had not yet adopted a formal procedure 15:13:28 for the enhanced SOM program, correct? 15:13:31 MR. O'CONNOR: Objection to 15:13:34 form. 15:13:35 THE WITNESS: I don't know what 15:13:35 date we wrote the procedure, so I 15:13:36 can't make I cannot answer, I'm 15:13:38	5 6 7 8 9 10 11 12 13 14 15 16	abuse of Mallinckrodt pills that occurred in 15:15:34 Florida in the 2008 through 2012 time period. 15:15:36 Do you recall that? 15:15:38 MR. O'CONNOR: Objection. 15:15:38 THE WITNESS: Significant is 15:15:39 your word, but, yes, the diversion, 15:15:40 yes. 15:15:42 QUESTIONS BY MR. KO: 15:15:42 Q. You recall that we discussed 15:15:44 diversion and abuse of Mallinckrodt pills 15:15:47 occurring in Florida throughout the 2008 15:15:49 through 2012 time period, correct? 15:15:51 A. Yes. 15:15:53
5 6 7 8 9 10 11 12 13 14 15 16 17	A. Yes. 15:13:16 Q. And it's referred to in that 15:13:17 manner because there was an earthquake that 15:13:18 day outside of DC, in Virginia in particular? 15:13:20 A. Yes. 15:13:23 Q. As of the date of that meeting, 15:13:24 you had not yet adopted a formal procedure 15:13:28 for the enhanced SOM program, correct? 15:13:31 MR. O'CONNOR: Objection to 15:13:34 form. 15:13:35 THE WITNESS: I don't know what 15:13:35 date we wrote the procedure, so I 15:13:36 can't make I cannot answer, I'm 15:13:38 sorry. 15:13:40	5 6 7 8 9 10 11 12 13 14 15 16 17	abuse of Mallinckrodt pills that occurred in 15:15:34 Florida in the 2008 through 2012 time period. 15:15:36 Do you recall that? 15:15:38 MR. O'CONNOR: Objection. 15:15:38 THE WITNESS: Significant is 15:15:39 your word, but, yes, the diversion, 15:15:40 yes. 15:15:42 QUESTIONS BY MR. KO: 15:15:42 Q. You recall that we discussed 15:15:44 diversion and abuse of Mallinckrodt pills 15:15:47 occurring in Florida throughout the 2008 15:15:49 through 2012 time period, correct? 15:15:51 A. Yes. 15:15:53 Q. Okay. And during at least a 15:15:54
5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. Yes. 15:13:16 Q. And it's referred to in that 15:13:17 manner because there was an earthquake that 15:13:18 day outside of DC, in Virginia in particular? 15:13:20 A. Yes. 15:13:23 Q. As of the date of that meeting, 15:13:24 you had not yet adopted a formal procedure 15:13:28 for the enhanced SOM program, correct? 15:13:31 MR. O'CONNOR: Objection to 15:13:34 form. 15:13:35 THE WITNESS: I don't know what 15:13:35 date we wrote the procedure, so I 15:13:36 can't make I cannot answer, I'm 15:13:38 sorry. 15:13:40  QUESTIONS BY MR. KO: 15:13:40	5 6 7 8 9 10 11 12 13 14 15 16 17 18	abuse of Mallinckrodt pills that occurred in 15:15:34 Florida in the 2008 through 2012 time period. 15:15:36 Do you recall that? 15:15:38 MR. O'CONNOR: Objection. 15:15:38 THE WITNESS: Significant is 15:15:39 your word, but, yes, the diversion, 15:15:40 yes. 15:15:42 QUESTIONS BY MR. KO: 15:15:42 Q. You recall that we discussed 15:15:44 diversion and abuse of Mallinckrodt pills 15:15:47 occurring in Florida throughout the 2008 15:15:49 through 2012 time period, correct? 15:15:51 A. Yes. 15:15:53 Q. Okay. And during at least a 15:15:54 two-year time period between 2008 and 2010, 15:15:58
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. Yes. 15:13:16 Q. And it's referred to in that 15:13:17 manner because there was an earthquake that 15:13:18 day outside of DC, in Virginia in particular? 15:13:20 A. Yes. 15:13:23 Q. As of the date of that meeting, 15:13:24 you had not yet adopted a formal procedure 15:13:28 for the enhanced SOM program, correct? 15:13:31 MR. O'CONNOR: Objection to 15:13:34 form. 15:13:35 THE WITNESS: I don't know what 15:13:35 date we wrote the procedure, so I 15:13:36 can't make I cannot answer, I'm 15:13:38 sorry. 15:13:40 QUESTIONS BY MR. KO: 15:13:40	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	abuse of Mallinckrodt pills that occurred in 15:15:34 Florida in the 2008 through 2012 time period. 15:15:36 Do you recall that? 15:15:38 MR. O'CONNOR: Objection. 15:15:38 THE WITNESS: Significant is 15:15:39 your word, but, yes, the diversion, 15:15:40 yes. 15:15:42 QUESTIONS BY MR. KO: 15:15:42 Q. You recall that we discussed 15:15:44 diversion and abuse of Mallinckrodt pills 15:15:47 occurring in Florida throughout the 2008 15:15:49 through 2012 time period, correct? 15:15:51 A. Yes. 15:15:53 Q. Okay. And during at least a 15:15:54 two-year time period between 2008 and 2010, 15:15:58 Mallinckrodt's suspicious order monitoring 15:16:01
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Yes. 15:13:16 Q. And it's referred to in that 15:13:17  manner because there was an earthquake that 15:13:18 day outside of DC, in Virginia in particular? 15:13:20 A. Yes. 15:13:23 Q. As of the date of that meeting, 15:13:24 you had not yet adopted a formal procedure 15:13:28 for the enhanced SOM program, correct? 15:13:31  MR. O'CONNOR: Objection to 15:13:34 form. 15:13:35  THE WITNESS: I don't know what 15:13:35 date we wrote the procedure, so I 15:13:36 can't make I cannot answer, I'm 15:13:38 sorry. 15:13:40  QUESTIONS BY MR. KO: 15:13:40 Q. Fair enough. Okay. 15:13:42	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	abuse of Mallinckrodt pills that occurred in 15:15:34 Florida in the 2008 through 2012 time period. 15:15:36 Do you recall that? 15:15:38 MR. O'CONNOR: Objection. 15:15:38 THE WITNESS: Significant is 15:15:39 your word, but, yes, the diversion, 15:15:40 yes. 15:15:42 QUESTIONS BY MR. KO: 15:15:42 Q. You recall that we discussed 15:15:44 diversion and abuse of Mallinckrodt pills 15:15:47 occurring in Florida throughout the 2008 15:15:49 through 2012 time period, correct? 15:15:51 A. Yes. 15:15:53 Q. Okay. And during at least a 15:15:54 two-year time period between 2008 and 2010, 15:15:58 Mallinckrodt's suspicious order monitoring 15:16:01 policy and system did not identify a single 15:16:04
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Yes. 15:13:16 Q. And it's referred to in that 15:13:17 manner because there was an earthquake that 15:13:18 day outside of DC, in Virginia in particular? 15:13:20 A. Yes. 15:13:23 Q. As of the date of that meeting, 15:13:24 you had not yet adopted a formal procedure 15:13:28 for the enhanced SOM program, correct? 15:13:31 MR. O'CONNOR: Objection to 15:13:34 form. 15:13:35 THE WITNESS: I don't know what 15:13:35 date we wrote the procedure, so I 15:13:36 can't make I cannot answer, I'm 15:13:38 sorry. 15:13:40 QUESTIONS BY MR. KO: 15:13:40 Q. Fair enough. Okay. 15:13:42 particular exhibit, in the second paragraph 15:13:46	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	abuse of Mallinckrodt pills that occurred in 15:15:34 Florida in the 2008 through 2012 time period. 15:15:36 Do you recall that? 15:15:38 MR. O'CONNOR: Objection. 15:15:38 THE WITNESS: Significant is 15:15:39 your word, but, yes, the diversion, 15:15:40 yes. 15:15:42 QUESTIONS BY MR. KO: 15:15:42 Q. You recall that we discussed 15:15:44 diversion and abuse of Mallinckrodt pills 15:15:47 occurring in Florida throughout the 2008 15:15:49 through 2012 time period, correct? 15:15:51 A. Yes. 15:15:53 Q. Okay. And during at least a 15:15:54 two-year time period between 2008 and 2010, 15:15:58 Mallinckrodt's suspicious order monitoring 15:16:01 policy and system did not identify a single 15:16:04 suspicious order, correct? 15:16:07
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Yes. 15:13:16 Q. And it's referred to in that 15:13:17 manner because there was an earthquake that 15:13:18 day outside of DC, in Virginia in particular? 15:13:20 A. Yes. 15:13:23 Q. As of the date of that meeting, 15:13:24 you had not yet adopted a formal procedure 15:13:28 for the enhanced SOM program, correct? 15:13:31 MR. O'CONNOR: Objection to 15:13:34 form. 15:13:35 THE WITNESS: I don't know what 15:13:35 date we wrote the procedure, so I 15:13:36 can't make I cannot answer, I'm 15:13:38 sorry. 15:13:40 QUESTIONS BY MR. KO: 15:13:40 Q. Fair enough. Okay. 15:13:40 So turning back to this 15:13:42 particular exhibit, in the second paragraph 15:13:46 of the bottom e-mail starting with 15:14:01	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	abuse of Mallinckrodt pills that occurred in 15:15:34 Florida in the 2008 through 2012 time period. 15:15:36 Do you recall that? 15:15:38 MR. O'CONNOR: Objection. 15:15:38 THE WITNESS: Significant is 15:15:39 your word, but, yes, the diversion, 15:15:40 yes. 15:15:42 QUESTIONS BY MR. KO: 15:15:42 Q. You recall that we discussed 15:15:44 diversion and abuse of Mallinckrodt pills 15:15:47 occurring in Florida throughout the 2008 15:15:49 through 2012 time period, correct? 15:15:51 A. Yes. 15:15:53 Q. Okay. And during at least a 15:15:54 two-year time period between 2008 and 2010, 15:15:58 Mallinckrodt's suspicious order monitoring 15:16:01 policy and system did not identify a single 15:16:04 suspicious order, correct? 15:16:07 A. Correct. 15:16:08
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	A. Yes. 15:13:16 Q. And it's referred to in that 15:13:17  manner because there was an earthquake that 15:13:18 day outside of DC, in Virginia in particular? 15:13:20 A. Yes. 15:13:23 Q. As of the date of that meeting, 15:13:24 you had not yet adopted a formal procedure 15:13:28 for the enhanced SOM program, correct? 15:13:31  MR. O'CONNOR: Objection to 15:13:34 form. 15:13:35  THE WITNESS: I don't know what 15:13:35 date we wrote the procedure, so I 15:13:36 can't make I cannot answer, I'm 15:13:38 sorry. 15:13:40  QUESTIONS BY MR. KO: 15:13:40 Q. Fair enough. Okay. 15:13:42 particular exhibit, in the second paragraph 15:13:46 of the bottom e-mail starting with 15:14:01 "Basically," can you read that for the 15:14:04	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	abuse of Mallinckrodt pills that occurred in 15:15:34 Florida in the 2008 through 2012 time period. 15:15:36 Do you recall that? 15:15:38 MR. O'CONNOR: Objection. 15:15:38 THE WITNESS: Significant is 15:15:39 your word, but, yes, the diversion, 15:15:40 yes. 15:15:42 QUESTIONS BY MR. KO: 15:15:42 Q. You recall that we discussed 15:15:44 diversion and abuse of Mallinckrodt pills 15:15:47 occurring in Florida throughout the 2008 15:15:49 through 2012 time period, correct? 15:15:51 A. Yes. 15:15:53 Q. Okay. And during at least a 15:15:54 two-year time period between 2008 and 2010, 15:15:58 Mallinckrodt's suspicious order monitoring 15:16:01 policy and system did not identify a single 15:16:04 suspicious order, correct? 15:16:07 A. Correct. 15:16:08 Q. Okay. And in the third 15:16:10
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Yes. 15:13:16 Q. And it's referred to in that 15:13:17 manner because there was an earthquake that 15:13:18 day outside of DC, in Virginia in particular? 15:13:20 A. Yes. 15:13:23 Q. As of the date of that meeting, 15:13:24 you had not yet adopted a formal procedure 15:13:28 for the enhanced SOM program, correct? 15:13:31 MR. O'CONNOR: Objection to 15:13:34 form. 15:13:35 THE WITNESS: I don't know what 15:13:35 date we wrote the procedure, so I 15:13:36 can't make I cannot answer, I'm 15:13:38 sorry. 15:13:40 QUESTIONS BY MR. KO: 15:13:40 Q. Fair enough. Okay. 15:13:40 So turning back to this 15:13:42 particular exhibit, in the second paragraph 15:13:46 of the bottom e-mail starting with 15:14:01	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	abuse of Mallinckrodt pills that occurred in 15:15:34 Florida in the 2008 through 2012 time period. 15:15:36 Do you recall that? 15:15:38 MR. O'CONNOR: Objection. 15:15:38 THE WITNESS: Significant is 15:15:39 your word, but, yes, the diversion, 15:15:40 yes. 15:15:42 QUESTIONS BY MR. KO: 15:15:42 Q. You recall that we discussed 15:15:44 diversion and abuse of Mallinckrodt pills 15:15:47 occurring in Florida throughout the 2008 15:15:49 through 2012 time period, correct? 15:15:51 A. Yes. 15:15:53 Q. Okay. And during at least a 15:15:54 two-year time period between 2008 and 2010, 15:15:58 Mallinckrodt's suspicious order monitoring 15:16:01 policy and system did not identify a single 15:16:04 suspicious order, correct? 15:16:07 A. Correct. 15:16:08

1 2 3			
2	Page 306		Page 308
	quote, "It is significant to note that 15:16:18	1	monitoring system did not trigger the 15:17:53
3	neither Sunrise or Harvard triggered the 15:16:21	2	algorithms that were in place for that time 15:17:56
	algorithms that were in place for direct 15:16:23	3	period. And I presume the algorithms you're 15:18:01
4	customers because we were looking at overall 15:16:25	4	discussing are the peculiar order algorithms, 15:18:04
5	purchase trends for each distributor, not 15:16:26	5	correct? 15:18:06
6	reviewing where the distributors were sending 15:16:29	6	A. Correct. 15:18:06
7	our product, and our program met CFR 15:16:31	7	Q. So in other words, because 15:18:07
8	requirements. In essence, the program was 15:16:37	8	their orders were not either 2X or 15:18:10
9	expanded within the last month to our 15:16:41	9	potentially 3X of the prior fiscal year, as 15:18:13
10	customers' customers." 15:16:43	10	we previously discussed, there was never a 15:18:18
11	Did I read that correctly? 15:16:45	11	peculiar order flag that was raised with 15:18:23
12	A. Yes. 15:16:45	12	respect to their orders 15:18:25
13	Q. Now, Sunrise and Harvard were 15:16:46	13	MR. O'CONNOR: Objection to 15:18:26
14	two distributors that were customers of 15:16:48	14	form. 15:18:27
15	Mallinckrodt, correct? 15:16:49	15	QUESTIONS BY MR. KO: 15:18:27
16	A. Correct. 15:16:50	16	Q fair? 15:18:27
17	Q. And they both had their license 15:16:50	17	A. Fair. 15:18:27
18	eventually suspended by the DEA at some time 15:16:52	18	Q. Okay. And you note that your 15:18:28
19	in the 2010 time period? 15:16:54	19	suspicious order monitoring system at the 15:18:32
20	A. Correct. 15:16:56	20	time was unable to identify whether or not 15:18:33
21	Q. And so they had their licenses 15:16:57	21	certain of their orders were suspicious 15:18:37
22	suspended because they were selling to 15:17:01	22	because, of course, you just had a peculiar 15:18:39
23	customers, and in particular, pharmacies and 15:17:03	23	order algorithm that was based on a metric of 15:18:43
24	pain clinics that were engaged in 15:17:11	24	orders relative to prior order history. 15:18:49
25	diversion 15:17:13	25	MR. O'CONNOR: Objection to 15:18:52
	Page 307		Page 309
1	MR. O'CONNOR: Objection to 15:17:13	1	form. 15:18:53
2	form. 15:17:13	2	THE WITNESS: So enabling is 15:18:53
3	QUESTIONS BY MR. KO: 15:17:13	3	paraphrasing, but we were looking at 15:18:56
4	Q correct? 15:17:14	4	different purchasing trends and not at 15:19:01
5	A. That is what was reported in 15:17:14	5	the downstream registrant. 15:19:05
6	the media, yes. 15:17:17	6	QUESTIONS BY MR. KO: 15:19:07
7	Q. Okay. And was it and in 15:17:18	7	Q. Right. 15:19:07
8	addition to what was reported in the media, 15:17:20	8	And I didn't say just so the 15:19:08
9	you eventually acquired some level of 15:17:22	9	record is clear, I didn't say "enable"; I 15:19:09
10	knowledge of certain orders that Sunrise and 15:17:24	10	said "unable." 15:19:12
11	Harvard had shipped to pharmacies and clinics 15:17:28	11	A. Unable, yes. 15:19:12
12	in Florida, did you not? 15:17:31	12	Q. Right. 15:19:13
13	MR. O'CONNOR: Objection to 15:17:33	13	So Mallinckrodt's suspicious 15:19:14
14	form. 15:17:33	14	order monitoring program at the time was 15:19:15
15	THE WITNESS: Yes. 15:17:33	15	unable to identify any suspicious orders of 15:19:17
1	QUESTIONS BY MR. KO: 15:17:33	16	Sunrise or Harvard because you were merely 15:19:23
16	Q. Okay. And so ultimately 15:17:34	17	looking at a numerical metric of order 15:19:26
16 17		18	history of orders relative to order 15:19:31
	Sunrise and Harvard had their license 15:17:36		
17	suspended by the DEA due to suspicious orders 15:17:38	19	history of Sunrise and Harvard, correct? 15:19:33
17 18	suspended by the DEA due to suspicious orders 15:17:38 that they had shipped in at least the 2008 15:17:41	19 20	history of Sunrise and Harvard, correct? 15:19:33 MR. O'CONNOR: Objection. 15:19:35
17 18 19	suspended by the DEA due to suspicious orders 15:17:38		•
17 18 19 20	suspended by the DEA due to suspicious orders 15:17:38 that they had shipped in at least the 2008 15:17:41	20	MR. O'CONNOR: Objection. 15:19:35
17 18 19 20 21	suspended by the DEA due to suspicious orders 15:17:38 that they had shipped in at least the 2008 15:17:41 through 2000 {sic} time period; is that 15:17:46	20 21	MR. O'CONNOR: Objection. 15:19:35 Form. 15:19:36
17 18 19 20 21 22	suspended by the DEA due to suspicious orders 15:17:38 that they had shipped in at least the 2008 15:17:41 through 2000 {sic} time period; is that 15:17:46 correct? 15:17:48	20 21 22	MR. O'CONNOR: Objection. 15:19:35  Form. 15:19:36  THE WITNESS: Correct. 15:19:37

1 2 3 4 5 6	Page 310		Page 312
2 3 4 5		1	<u> </u>
3 4 5	licenses suspended by the DEA, did that 15:19:48	1	
4 5	concern you? 15:19:50	2	conveyed to Ms. Spaulding? 15:21:44
5	A. Yes. 15:19:50	3	A. Yes, I believe it is. 15:21:47
	Q. Okay. And it also and it 15:19:50	4	Q. Okay. And does the 15:21:48
6	concerned you because you had been unable to 15:19:52	5	chronology indicates that in the fall 15:22:04
1	detect the fact that they actually had 15:19:56	6	of 2008 well, first of all, there's a 15:22:07
7	shipped many suspicious orders, according to 15:19:58	7	reference made at the top of the page to an 15:22:09
8	the DEA, prior to 2010, correct? 15:20:00	8	old version that was being sent to DEA 15:22:11
9	MR. O'CONNOR: Objection to 15:20:01	9	Albany. 15:22:15
10	form. 15:20:02	10	Do you see that? 15:22:16
11	THE WITNESS: It concerned me 15:20:02	11	A. Yes, I do. 15:22:16
12	because they were direct customers of 15:20:05	12	Q. And in your chronology you 15:22:16
13	Mallinckrodt. 15:20:06	13	indicate, quote, "This reporting system was 15:22:22
14	QUESTIONS BY MR. KO: 15:20:07	14	discontinued at the direction of suspicious 15:22:24
15	Q. Okay. And they were direct 15:20:07	15	order monitoring team pending new order 15:22:27
16	customers of Mallinckrodt that had 15:20:09	16	algorithms that the SOM team was working to 15:22:30
17	Mallinckrodt pills sold to pharmacies and 15:20:12	17	establish." 15:22:32
18	clinics strike that. 15:20:16	18	Did I read that correctly? 15:22:33
19	When you say it concerned you 15:20:22	19	A. Yes. 15:22:33
20	because they were direct customers of 15:20:27	20	Q. So, again, in the fall of 2008, 15:22:35
21	Mallinckrodt, is it also accurate to say that 15:20:28	21	you are continually working on revising the 15:22:37
22	you were concerned because Mallinckrodt pills 15:20:30	22	SOM program, correct? 15:22:40
23	may have been diverted or abused as a result 15:20:37	23	A. Correct. 15:22:41
24	of shipments made by Sunrise and Harvard? 15:20:40	24	Q. And you had abandoned a 15:22:42
25	MR. O'CONNOR: Objection to 15:20:42	25	reporting system that was in place to send 15:22:45
	Page 311		Page 313
1	form. 15:20:43	1	reports to DEA Albany as of this date, 15:22:49
2	THE WITNESS: Yes. 15:20:44	2	correct? 15:22:52
3	QUESTIONS BY MR. KO: 15:20:46	3	A. Yes. 15:22:52
4	Q. Okay. Now, I want to turn to 15:20:47	4	Q. Okay. Turning to the next 15:22:54
5	the you can keep the e-mail in front of 15:20:49	5	page, there's an indication on February 16, 15:23:11
6	you if you'd like, but this document which is 15:20:53	6	2009, that "SOM draft procedure sent to legal 15:23:18
7	Exhibit 35, that appears to be a chronology 15:20:58	7	department for further review relative to new 15:23:22
8	of the suspicious order monitoring program 15:21:03	8	tasks being created as part of the revised 15:23:29
9	from August 2008 through 2010; is that 15:21:05	9	program." 15:23:31
10	correct? 15:21:08	10	Do you see that? 15:23:31
11	A. That is correct. 15:21:08	11	A. Yes. 15:23:31
12	Q. And it's specifically a 15:21:08	12	Q. So legal played a part in the 15:23:31
13	chronology of the SOM program regarding 15:21:12	13	review of the SOM draft procedures and the 15:23:33
14	Mallinckrodt's dosage products during that 15:21:14	14	ultimate implementation of the revised SOM 15:23:36
15	time period, correct? 15:21:17	15	program; is that fair to say? 15:23:39
1_	A. Correct. 15:21:17	16	A. Yes. 15:23:40
16	Q. And in Exhibit 15, you 15:21:18	17	Q. Okay. And do you recall 15:23:40
17	reference to Ms. Spaulding a chronology, a 15:21:22	18	working with Mr. Lohman and Ms. Duft in 15:23:41
17 18	lengthy chronology, to try and get her up to 15:21:25	19	connection with implementation of the revised 15:23:45
17 18 19			SOM program? 15:23:47
17 18 19 20	speed on what has occurred with respect to 15:21:28	20	· -
17 18 19 20 21	speed on what has occurred with respect to 15:21:28  Mallinckrodt's SOM program. 15:21:30	21	A. Yes. 15:23:48
17 18 19 20 21 22	speed on what has occurred with respect to 15:21:28  Mallinckrodt's SOM program. 15:21:30  Do you see a reference to that? 15:21:32	21 22	A. Yes. 15:23:48 Q. Is it fair to say that they 15:23:48
17 18 19 20 21 22 23	speed on what has occurred with respect to 15:21:28  Mallinckrodt's SOM program. 15:21:30  Do you see a reference to that? 15:21:32  It'll be at the 15:21:38	21 22 23	A. Yes. 15:23:48  Q. Is it fair to say that they 15:23:48 had in addition to working with them, is 15:23:54
17 18 19 20 21 22	speed on what has occurred with respect to 15:21:28  Mallinckrodt's SOM program. 15:21:30  Do you see a reference to that? 15:21:32	21	A. Yes. 15:23:48 Q. Is it fair to say that they 15:23:48

	5 1		-
	Page 314		Page 316
1	implementation of the revised SOM program? 15:24:02	1	,
2	MR. O'CONNOR: I'm just going 15:24:05	2	groups? 15:25:29
3	to remind the witness not to get into 15:24:06	3	A. I don't know. I can't say. 15:25:30
4	any specific communications with 15:24:07	4	Q. Okay. 15:25:33
5	counsel. 15:24:08	5	A. I can't answer. 15:25:33
6	THE WITNESS: They were 15:24:09	6	Q. Do you recall if you had any 15:25:33
7	contributors and reviewers in terms of 15:24:13	7	kind of day-to-day communication with them? 15:25:35
8	the current system set of enhancements 15:24:15	8	A. I don't recall, but I do not 15:25:37
9	that we were working on. 15:24:17	9	think so. 15:25:43
10	QUESTIONS BY MR. KO: 15:24:18	10	Q. Okay. Now, on the next 15:25:43
11	Q. Sure. 15:24:18	11	well, the next entry is redacted, but the 15:25:50
12	And do you recall how 15:24:18	12	entry after that dated March 2, 2009, 15:25:52
13	frequently you communicated with them during 15:24:22	13	indicates that "Mr. Rausch continues to work 15:25:54
14	this time period? 15:24:24	14	with IS to define the criteria of what would 15:25:57
15	A. I do not. 15:24:25	15	be peculiar what would be a peculiar order 15:25:59
16	Q. Okay. Do you recall whether or 15:24:26	16	and how to determine programmatic flags for 15:26:01 detection." 15:26:05
17 18	not it was monthly communications with them 15:24:27 or weekly communications? 15:24:30	17 18	detection." 15:26:05  Did I read that correctly? 15:26:06
19	A. I do not. 15:24:32	19	A. Yes, you did. 15:26:06
20	Q. Relative to other people that 15:24:33	20	Q. Okay. And perhaps it might 15:26:09
21	you had worked with in connection with 15:24:35	21	mean to say problematic, but in any way, we 15:26:10
22	revising the SOM policy, do you have any 15:24:36	22	don't need to guess. 15:26:14
23	understanding of whether or not their 15:24:40	23	It's fair to say that as of 15:26:17
24	involvement was higher or lower than, for 15:24:42	24	March 2, 2009, Jim Rausch is continuing to 15:26:19
25	example, your interactions with Mr. Ratliff 15:24:47	25	try and define the criteria of what 15:26:24
	example, your interactions with Mr. Rathii 13.24.47		ary and define the effecta of what
	Page 315		Page 317
1	in the security department? 15:24:49	1	constitutes a peculiar order. 15:26:26
2	MR. O'CONNOR: Objection to 15:24:53	2	MR. O'CONNOR: Objection. 15:26:27
3	form. 15:24:53	3	QUESTIONS BY MR. KO: 15:26:27
4	THE WITNESS: I'm sorry, I 15:24:53	4	Q. Correct? 15:26:28
5	thought you were talking about legal. 15:24:54	5	A. That is correct. 15:26:28
6	QUESTIONS BY MR. KO: 15:24:55	6	Q. And IS is information systems? 15:26:29
7	Q. I am. And I'm just trying to 15:24:55	7	A. Yes, that's correct. 15:26:31
8	get an understanding 15:24:57	8	Q. And was there a point person 15:26:32
9	A. Okay. 15:24:57	9	in at IS that you worked with or you knew 15:26:34
10	Q. Because since you can't 15:24:59	10	was part of the SOM team? 15:26:37
11	necessarily recall how involved they were, 15:25:01 I'm just trying to get an understanding of 15:25:03	11	A. I don't know. 15:26:39
12	I'm just trying to get an understanding of 15:25:03 perhaps seeing if you knew how much they were 15:25:05	12	Q. Okay. Now, further down on 15:26:41  June 29, 2009, you indicate that "revised 15:26:48
13 14	involved relative to other groups that were 15:25:07	13	questionnaire customer questionnaires are 15:26:54
	part of the SOM team. 15:25:08	14	submitted to legal that have been updated 15:26:56
15 16	So it's fair to say that they 15:25:09	15 16	based upon CSF focus group meetings Jim 15:26:58
17	were part of the SOM legal was part of the 15:25:10	17	Rausch and Cathy Stewart conducted with 15:27:02
18	SOM team, correct? 15:25:13	18	CSRs." 15:27:02
19	A. Correct. 15:25:13	19	Did I read that correctly? 15:27:05
20	Q. And you had some interaction 15:25:14	20	A. Yes. 15:27:05
21	with them in implementing an SOM program, 15:25:16	21	Q. So again, you're continually 15:27:06
22	correct? 15:25:19	22	working on the customer checklists or 15:27:07
23	A. Correct. 15:25:19	23	questionnaires that will be submitted to 15:27:10
24	Q. And would you say that that 15:25:20	24	Mallinckrodt customers in connection with the 15:27:13
25	involvement or interaction was more or less 15:25:22	25	SOM program; fair to say? 15:27:15
20	11. or, official of interaction was more of iess 13.23.22	2 3	50111 program, ran to say: 13.27.13

1	•
2	Page 320
3	15:29:25
4 represented to Eileen that this was an   15:27:40   5 attempt by you to provide an extensive   15:27:44   6 chronology on SOM activities during this   15:27:49   7 two-year time period.   15:27:52   8 Why were you providing this to   15:27:52   8 Why were you providing this to   15:27:56   10 A. I was assigned at the St. Louis   15:27:56   12 plant, working in the plant during a work   15:27:57   12 stoppage which had gone on for an extended   15:28:01   13 period of time, months, and so I wanted to   15:28:01   15 system of enhancements.   15:28:10   15 system of enhancements.   15:28:10   15 was having with DEA?   15:28:11   15 was having with DEA?   15:28:15   15 was having with DEA?   15:28:31   15 work and time.   15:28:31   16 wor.   15:29:58   17 whether or not you may have provided this to   15:28:31   18 her in preparation for any meetings that she   15:28:31   18 her in preparation for any meetings that she   15:28:31   19 was having with DEA?   15:28:31   19 was having with DEA?   15:28:31   19 work shapage at Mallinckrodt. I understand   15:28:26   20 work stoppage at Mallinckrodt. I understand   15:28:33   20 work stoppage at Mallinckrodt. I understand   15:28:33   21 work stoppage at Mallinckrodt.   15:28:33   22 work stoppage at Mallinckrodt.   15:28:33   23 Q. Yeah, but -   15:28:34   24 A. I do.   15:30:21   25 was have a strike by come employees at   15:28:35   26 was -   15:28:34   30 Q. Yeah, but -   15:28:34   31 Q. Yeah, but -   15:28:35   32 Q. Yeah, but -   15:28:35   33 Q. Q. Yeah, but -   15:28:35   34 Q. A fairty long strike.   15:28:51   34 Q. And during that time period.   15:28:53   35 was there any work done on attempting to   15:28:53   35 was there any work done on attempting to   15:28:53   35 was there any work done on attempting to   15:28:53   35 was there any work done on attempting to   15:28:53   35 was there any work done on attempting to   15:28:53   35 was there any work done on attempting to   15:28:53   35 was there any work done on attempting to   15:28:53   35	26
5   attempt by you to provide an extensive   15:27:44   6   chronology on SOM activities during this   15:27:49   7   two-year time period.   15:27:52   8   Why were you providing this to   15:27:52   9   her?   15:27:56   10   A. I was assigned at the St. Louis   15:27:57   12   stoppage which had gone on for an extended   15:28:04   12   update Eileen on the status of the current   15:28:04   13   pilant, working in the plant during a work   15:28:10   15:29:54   13   portion of time, months, and so I wanted to   15:28:10   15:29:54   14   update Eileen on the status of the current   15:28:10   15:29:54   15:29:55   15:29:54   16   Q. Okay. And do you recall   15:28:10   15:28:11   16   Q. Okay. And do you recall   15:28:10   15:28:18   16   ower.   15:29:58   17   whether or not you may have provided this to   15:28:18   16   ower.   15:29:58   17   whether or not you may have provided this to   15:28:18   16   ower.   15:29:58   17   ower.   15:29:58   17   ower.   15:29:58   18   ower.   15:2	
6 chronology on SOM activities during this   15:27:49   7 two-year time period.   15:27:52   8   8 Why were you providing this to   15:27:52   9 her?   15:27:56   10	15:29:30
7	15:29:31
8	15:29:38
9 her?	
10	15:29:43
11   plant, working in he plant during a work   15:27:57   12   stoppage which had gone on for an extended   15:28:01   15   29:054   13   period of time, months, and so I wanted to   15:28:01   15   29:054   14   update Eilieen on the status of the current   15:28:07   15   system of enhancements.   15:28:10   15   29:55   16   Q. Okay. And do you recall   15:28:11   16   Q. Sure.   15:29:58   17   whether or not you may have provided this to   15:28:13   18   her in preparation for any meetings that she   15:28:15   19   was having with DEA?   15:28:18   15   20   A. I don't recall.   15:28:19   17   Q. Okay. And you did reference a   15:28:23   18   15:28:34   18   15:28:34   18   15:28:34   18   15:28:34   18   15:28:35   19   19   19   A. No hay.   15:28:35   19   19   A. So the work was ongoing, with   15:28:51   19   A. So the work was ongoing, with   15:29:03   19   A. So the work was ongoing, with   15:29:03   19   A. So in work was ongoing, with   15:29:03   19   A. So in work was pooling, with   15:29:03   19   A. So in work was pooling, with   15:29:03   19   A. So in work was pooling, with   15:29:03   19   A. So in work was ongoing, with   15:29:03   19   A. So in work was ongoing, with   15:29:03   19   A. So in work was ongoing, with   15:29:03   19   A. So in work was ongoing, with   15:29:03   19   A. So in work was ongoing, with   15:29:03   19   A. So in work was ongoing, with   15:29:03   19   A. So in work was ongoing, with   15:29:03   19   A. So in work was ongoing, with   15:29:03   19   A. So the work was ongoing, with   15:29:03   19   A. So the work was ongoing, with   15:29:03   19   A. So the work was ongoing, with   15:29:03   19   A. So the work was ongoing, with   15:29:03   19   A. So the work was ongoing, with   15:29:03   19   A. So the work was ongoing, with   15:29:03   19   A. So the work was ongoing, with   15:29:03   19   A. So the work was ongoing, with   15:29:03   19   A. So the work was ongoing, with   15:29:03   19   A. So the work was ongoing, with   15:29:03   1	15:29:45
12   stoppage which had gone on for an extended   15:28:04     13   period of time, months, and so I wanted to   15:28:04     14   update Eileen on the status of the current   15:28:10     15   Q. Okay. And do you recall   15:28:11     16   Q. Okay. And do you recall   15:28:11     17   whether or not you may have provided this to   15:28:13     18   her in preparation for any meetings that she   15:28:18     19   Was having with DEA?   15:28:18     10   A. I don't recall.   15:28:18     11   Q. Okay. And you did reference a   15:28:23     12   Work stoppage at Mallinckrodt. I understand   15:28:23     13   A. Is that referenced here?   15:28:31     15   Q. I don't think it is.   15:28:33     10   Q. There was a strike by some employees at   15:28:35     10   A. All right.   15:28:35     11   A. I Yeeks, I believe.   15:28:41     12   Q. Okay. A fairly long strike.   15:28:51     13   A. (Witness nods head.)   15:28:52     14   Q. Sure.   15:29:58     15   Turn to page 4 of this report.   15:29:58     15   Turn to page 4 of this report.   15:29:58     15   Turn to page 4 of this report.   15:29:58     15   Turn to page 4 of this report.   15:29:58     15   Turn to page 4 of this report.   15:29:58     15   Turn to page 4 of this report.   15:29:58     15   Turn to page 4 of this report.   15:29:58     15   Turn to page 4 of this report.   15:29:58     15   Turn to page 4 of this report.   15:29:58     15   Turn to page 4 of this report.   15:29:58     15   Turn to page 4 of this report.   15:29:58     15   Turn to page 4 of this report.   15:29:58     15   Turn to page 4 of this report.   15:29:58     15   Turn to page 4 of this report.   15:29:58     15   Turn to page 4 of this report.   15:29:58     15   Turn to page 4 of this report.   15:29:59     15   A. I there was a strike by some employees at   15:28:39     15   Turn to page 4 of this report.   15:30:18     20   Turn to page 4 of this report.   15:30:18     21   Turn to page 4 of this report.   15:30:18     22   Turn to page 4 of this report.   15:30:	
13	
14   update Eileen on the status of the current   15:28:07   15   system of enhancements.   15:28:10   16   Q. Okay. And do you recall   15:28:11   17   whether or not you may have provided this to   15:28:13   17   whether or not you may have provided this to   15:28:13   18   her in preparation for any meetings that she   15:28:15   18   Turn to page 4 of this report,   15:29:58   Turn to page 4 of this report,   15:29:59   15:29:58   Turn to page 4 of this report,   15:29:59   15:29:58   Turn to page 4 of this report,   15:29:59	54
15   system of enhancements   15:28:10   16   Q. Okay. And do you recall   15:28:11   16   over.   15:29:58   17   whether or not you may have provided this to   15:28:13   18   her in preparation for any meetings that she   15:28:18   19   was having with DEA?   15:28:18   19   was having with DEA?   15:28:18   19   this chronology. There's a reference made   19   19   20   Okay. And you did reference a   15:28:23   12   13   14   15   15   15   15   15   15   15	
16    Q. Okay. And do you recall   15:28:11   16   over.   15:29:58   17   whether or not you may have provided this to   15:28:15   18   her in preparation for any meetings that she   15:28:15   19   was having with DEA?   15:28:19   20   A. I don't recall.   15:28:19   21   Q. Okay. And you did reference a   15:28:23   22   work stoppage at Mallinckrodt. I understand   15:28:26   23   that there was a strike by some employees at   15:28:31   25   A. Is that referenced here?   15:28:31   25   A. Is that referenced here?   15:28:31   25   Q. So if I understand correctly,   15:30:18   24   A. Ido.   15:30:18   25   Q. So if I understand correctly,   15:30:20   26   Q. So if I understand correctly,   15:30:30:30   27   Q. So if I understand correctly,   15:30:30:30   28   Q. Yeah, but -   15:28:34   29   2010, increased from 2X to 3X, correct?   15:30:30   30   Q. Yeah, but -   15:28:35   30   Q. Yeah, but -   15:28:35   30   Q. Yeah, but -   15:28:35   30   Q. There was a strike by Covidien   15:28:35   30   Q. There was a strike by Covidien   15:28:37   9   employees in the 2010 time period.   15:28:39   15:30:54   30   A. That's correct.   15:30:57   30   A. That was the early work done on attempting to   15:28:52   13   A. (Witness nods head.)   15:28:52   13   was there any work done on attempting to   15:28:56   16   MR. O'CONNOR: Objection to   15:31:19   30   Q. And who was that work done by   15:29:01   18   THE WITNESS: Yes.   15:31:19   30   Q. So it was creating an   15:31:21   30   30   Q. So it was creating an   15:31:21   30   30   Q. So it was creating an   15:31:21   30   30   30   30   30   30   30   3	
17	15:29:57
18   her in preparation for any meetings that she   15:28:15   18   Turn to page 4 of this report,   15:29:56   19   was having with DEA?   15:28:18   19   this chronology. There's a reference made   15   15:28:19   20   that on April 30, 2010, the peculiar order   15: 30:28   21   calculations changed from a 2X factor to a 3X   ax with stoppage at Mallinckrodt. I understand   15:28:26   22   factor.   15:30:18   23   that there was a strike by some employees at   15:28:31   25   A. Is that referenced here?   15:28:31   25   Q. So if I understand correctly,   15:30:21   25   Q. So if I understand correctly,   15:30:21   26   Q. So if I understand correctly,   15:30:36   20   Yeah, but   15:28:34   3   A. That's correct.   15:30:36   4   Q. So in other words, as of April   15:30:36   4   Q. So in other words, as of April   15:30:36   4   Q. There was a strike by Covidien   15:28:35   6   utilized to determine whether on other and other period.   15:28:39   9   year average; is that accurate?   15:30:58   15:30:58   15:30:59	
19 was having with DEA? 15:28:18 20 A. I don't recall. 15:28:19 21 Q. Okay. And you did reference a 15:28:23 22 work stoppage at Mallinckrodt. I understand 15:28:26 23 that there was a strike by some employees at 15:28:29 24 Covidien at the time. 15:28:31 25 A. Is that referenced here? 15:28:31 26 A. Okay. 15:28:31 27 Page 319 28 A. Okay. 15:28:34 29 A. Okay. 15:28:34 20 A. All right. 15:28:34 21 The peculiar order a 2X factor to a 3X fa	
A. I don't recall. 15:28:19 Q. Okay. And you did reference a 15:28:23 that there was a strike by some employees at 15:28:31 1 Covidien at the time. 15:28:31 2 A. Is that referenced here? 15:28:31 2 A. Okay. 15:28:34 2 A. Okay. 15:28:34 3 Q. Yeah, but 15:28:34 4 A. All right. 15:28:34 5 Q just just generally there 15:28:35 6 was 15:28:35 7 A. Yes, you're correct. Yes. 15:28:35 8 Q. There was a strike by Covidien 15:28:37 9 employees in the 2010 time period. 15:28:37 9 employees in the 2010 time period. 15:28:41 10 A. 17 weeks, I believe. 15:28:42 11 Q. Okay. A fairly long strike. 15:28:51 12 Q. Okay. A fairly long strike. 15:28:52 13 A. (Witness nods head.) 15:28:53 14 Q. And during that time period, 15:28:54 15 was there any work done on attempting to improve or revise the SOM process? 15:29:00 19 A. So the work was ongoing, with 15:29:03 20 Uthat on April 30, 2010, the peculiar order a 2X factor to a 3X calculations changed from a 2X factor to a 3X calculations changed from a 2X factor to a 3X calculations changed from a 2X factor to a 3X calculations changed from a 2X factor to a 3X calculations changed from a 2X factor to a 3X calculations changed from a 2X factor to a 3X calculations changed from a 2X factor to a 3X calculations changed from a 2X factor to a 3X calculations changed from a 2X factor to a 3X calculations changed from a 2X factor to a 3X calculations changed from a 2X factor to a 3X calculations changed from a 2X factor to a 3X calculations changed from a 2X factor to a 3X calculations changed from a 2X factor to a 3X calculations changed from a 2X factor to a 3X calculations changed from a 2X factor to a 3X calculations changed from a 2X factor to a 3X calculations changed from a 2X factor to a 3X calculations changed from a 2X factor. 15:30:52  4 A. I do. 15:30:21  4 A. I do. 15:30:22  5 Do you see that reference? 15:30:52  6 A. That's correct. 15:30:52  6 A. That's correct. 15:30:52  5 30, 2010, the algorithm on April 30, 2010, increased from 2X to 3X, correct? 15:30:53  6 util	
Q. Okay. And you did reference a 15:28:23   21   calculations changed from a 2X factor to a 3X	
22 work stoppage at Mallinckrodt. I understand   15:28:26   22 factor.   15:30:18	
23 that there was a strike by some employees at 15:28:29 24 Covidien at the time. 15:28:31 25 A. Is that referenced here? 15:28:31 26 A. Okay. 15:28:33 2 A. Okay. 15:28:34 3 Q. Yeah, but 15:28:34 4 A. All right. 15:28:34 5 Q just just generally there 15:28:35 6 was 15:28:35 7 A. Yes, you're correct. Yes. 15:28:35 8 Q. There was a strike by Covidien 15:28:37 9 employees in the 2010 time period. 15:28:39 10 How long did that last? 15:28:42 11 A. 17 weeks, I believe. 15:28:42 12 Q. Okay. A fairly long strike. 15:28:51 13 A. (Witness nods head.) 15:28:51 14 Q. And during that time period, 15:28:51 15 was there any work done on attempting to 15:28:54 16 improve or revise the SOM process? 15:29:00 17 A. Yes. 15:29:00 18 Q. And who was that work done by? 15:29:01 19 A. So the work was ongoing, with 15:29:03 20 Jim Rausch working with IT on the algorithms, 15:29:06 21 Do you see that reference? 15:30:22 4 A. I do. 15:30:21 24 A. I do. 15:30:21 24 A. I do. 15:30:21 25 Q. So if I understand correctly, 15:30:22 25 Q. So if I understand correctly, 15:30:22 2010, increased from 2X to 3X, correct? 15:30:36 4 Q. So in other words, as of April 15:30:36 4 Q. So in other words, as of April 15:30:36 5 30, 2010, the algorithm that Mallinckrodt 15:3 6 utilized to determine whether or not an order 15: 6 was suspicious was by determining whether an 15:30:54 6 utilized to determine whether or not an order 15:30:36 6 utilized to determine whether or not an order 15:30:36 7 was suspicious was by determining whether an 15:30:54 10 A. Yes. 15:28:42 11 Q. Okay. And this increase 15:30:58 12 resulted for a variety of reasons, is my 15:31:19 13 understanding, but is one of the reasons that 15:31:19 14 Q. And during that time period, 15:28:54 15 mass there any work done on attempting to 15:28:54 15 mass there any work done on attempting to 15:28:54 16 mprove or revise the SOM process? 15:28:56 17 A. Yes. 15:29:00 18 Q. And who was that work done by? 15:29:01 19 A. So the work was ongoing, with 15:29:03 20 Jim Rausch working with	
24 Covidien at the time.   15:28:31   24   A. I do.   15:30:21   25   A. Is that referenced here?   15:28:31   25   Q. So if I understand correctly,   15:30:20   25   Q. So if I understand correctly,   15:30:30   25   Q. So if I understand correctly,   15:30:30   25   Q. So if I understand correctly,   15:30:30   25   Q. So if I understand correctly   15:30:30   25   Q. So if I understand correctly,   15:30:3	
Page 319  1 Q. I don't think it is. 15:28:33 2 A. Okay. 15:28:34 3 Q. Yeah, but 15:28:34 4 A. All right. 15:28:35 5 Q just just generally there 15:28:35 6 was 15:28:35 7 A. Yes, you're correct. Yes. 15:28:35 8 Q. There was a strike by Covidien 15:28:37 9 employees in the 2010 time period. 15:28:37 10 How long did that last? 15:28:42 11 A. 17 weeks, I believe. 15:28:42 12 Q. Okay. A fairly long strike. 15:28:51 13 A. (Witness nods head.) 15:28:52 14 Q. And during that time period, 15:28:53 15 was there any work done on attempting to 15:28:54 16 improve or revise the SOM process? 15:29:00 18 Q. And who was that work done by? 15:29:01 19 A. So the work was ongoing, with 15:29:03 20 Jim Rausch working with IT on the algorithms, 15:29:06 20 Q. So if I understand correctly, 15:30:23 20 Jim Rausch working with IT on the algorithms, 15:28:31  1 the peculiar order algorithm on April 30, 15:30:24 2 2010, increased from 2X to 3X, correct? 15:30:36 4 Q. So in tutilized to determine whether or not an order 15:30:30:30 3 Q. 2010, the algorithm that Mallinckrodt 15:33 4 Q. So in tutilized to determine whether or not an order 15:30:54 5 30, 2010, the algorithm that Mallinckrodt 15:33 6 utilized to determine whether or not an order 15:30:54 6 utilized to determine whether or not an order 15:30:54 6 utilized to determine whether or not an order 15:30:54 6 utilized to determine whether or not an order 15:30:54 7 was suspicious was by determining whether an 10 8 order was three times greater than the prior 15:33 9 year average; is that accurate? 15:30:55 15 understanding, but is one of the reasons that 15:31:31 16 MR. O'CONNOR: Objection to 15:31 17 A. Yes. 15:29:00 18 THE WITNESS: Yes. 15:31:20 19 QUESTIONS BY MR. KO: 15:31:21	15:30:20
Page 319  1 Q. I don't think it is. 15:28:33 2 A. Okay. 15:28:34 3 Q. Yeah, but 15:28:34 4 A. All right. 15:28:34 5 Q just just generally there 15:28:35 6 was 15:28:35 7 A. Yes, you're correct. Yes. 15:28:35 8 Q. There was a strike by Covidien 15:28:37 9 employees in the 2010 time period. 15:28:37 10 How long did that last? 15:28:41 11 A. 17 weeks, I believe. 15:28:42 12 Q. Okay. A fairly long strike. 15:28:51 13 A. (Witness nods head.) 15:28:52 14 Q. And during that time period, 15:28:53 15 was there any work done on attempting to 15:28:54 16 improve or revise the SOM process? 15:29:01 17 A. Yes. 15:29:00 18 Q. And who was that work done by? 15:29:01 19 A. So the work was ongoing, with 15:29:03 20 Jim Rausch working with IT on the algorithms, 15:29:06  1 the peculiar order algorithm on April 30, 15:36 2 2010, increased from 2X to 3X, correct? 15:30:36 4 Q. So in other words, as of April 15:30:36 4 Q. So in other words, as of April 15:30:36 6 utilized to determine whether or not an order 15: 7 was suspicious was by determining whether an 10 are report was three times greater than the prior 15:3 8 order was three times greater than the prior 15:3 9 year average; is that accurate? 15:30:54 10 A. Yes. 15:28:42 11 Q. Okay. And this increase 15:30:54 12 resulted for a variety of reasons, is my 15:31:4 13 understanding, but is one of the reasons that 15:3 14 you increased from 2X to 3X because the 15: 15:31:19 18 Q. And who was that work done by? 15:29:01 19 A. So the work was ongoing, with 15:29:03 20 Jim Rausch working with IT on the algorithms, 15:29:06 20 Q. So it was creating an 15:31:21	
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2 A. Okay. 15:28:34 3 Q. Yeah, but 15:28:34 4 A. All right. 15:28:34 5 Q just just generally there 15:28:35 6 was 15:28:35 7 A. Yes, you're correct. Yes. 15:28:35 8 Q. There was a strike by Covidien 15:28:37 9 employees in the 2010 time period. 15:28:39 10 How long did that last? 15:28:42 11 A. 17 weeks, I believe. 15:28:42 12 Q. Okay. A fairly long strike. 15:28:51 13 A. (Witness nods head.) 15:28:52 14 Q. And during that time period, 15:28:53 15 was there any work done on attempting to 15:28:54 16 improve or revise the SOM process? 15:29:00 17 A. Yes. 15:29:00 18 Q. And who was that work done by? 15:29:01 19 A. So the work was ongoing, with 15:29:03 20 Jim Rausch working with IT on the algorithms, 15:29:06 21 2010, increased from 2X to 3X, correct? 15:30:36 4 Q. So in other words, as of April 15:30:36 6 wa. That's correct. 15:30:36 6 Q. So in other words, as of April 15:30:30 6 utilized to determine whether or not an order 15:30 7 was suspicious was by determining whether an 16 order was three times greater than the prior 15:30 8 order was three times greater than the prior 15:30 9 year average; is that accurate? 15:30:54 10 A. Yes. 15:28:51 11 Q. Okay. And this increase 15:30:58 12 resulted for a variety of reasons, is my 15:31:40 13 understanding, but is one of the reasons that 15:31 14 Who was there any work done on attempting to 15:28:54 15 peculiar order report was too lengthy? 15:31 16 MR. O'CONNOR: Objection to 15:31 17 A. Yes. 15:29:00 18 THE WITNESS: Yes. 15:31:20 19 QUESTIONS BY MR. KO: 15:31 20 Q. So it was creating an 15:31:21	Page 321
3       Q. Yeah, but       15:28:34       3       A. That's correct.       15:30:36         4       A. All right.       15:28:34       4       Q. So in other words, as of April       15:30:36         5       Q just just generally there       15:28:35       5       30, 2010, the algorithm that Mallinckrodt       15:3         6       was       15:28:35       6       utilized to determine whether or not an order       15:3         7       A. Yes, you're correct. Yes.       15:28:37       8       order was three times greater than the prior       15:3         8       Q. There was a strike by Covidien       15:28:39       9       year average; is that accurate?       15:30:54         10       How long did that last?       15:28:41       10       A. Yes.       15:30:55         11       A. 17 weeks, I believe.       15:28:42       11       Q. Okay. And this increase       15:30:55         12       Q. Okay. A fairly long strike.       15:28:51       12       resulted for a variety of reasons, is my       15:31:19         14       Q. And during that time period,       15:28:53       14       you increased from 2X to 3X because the       15:31:19         15       was there any work done on attempting to improve or revise the SOM process?       15:29:00	15:30:27
4 A. All right. 15:28:34  4 Q. So in other words, as of April 15:30:30:30  5 Q just just generally there 15:28:35  6 was 15:28:35  7 A. Yes, you're correct. Yes. 15:28:35  8 Q. There was a strike by Covidien 15:28:37  9 employees in the 2010 time period. 15:28:39  10 How long did that last? 15:28:41  11 A. 17 weeks, I believe. 15:28:42  12 Q. Okay. A fairly long strike. 15:28:42  13 A. (Witness nods head.) 15:28:51  14 Q. And during that time period, 15:28:52  15 was there any work done on attempting to 15:28:54  16 improve or revise the SOM process? 15:28:56  17 A. Yes. 15:29:00  18 Q. And who was that work done by? 15:29:01  19 A. So the work was ongoing, with 15:29:03  20 Jim Rausch working with IT on the algorithms, 15:29:06  4 Q. So in other words, as of April 15:30:30  5 30, 2010, the algorithm that Mallinckrodt 15:3  6 utilized to determine whether or not an order 15:  7 was suspicious was by determining whether an 15 order was three times greater than the prior 15:3  9 year average; is that accurate? 15:30:54  10 A. Yes. 15:30:57  11 Q. Okay. And this increase 15:30:58  12 resulted for a variety of reasons, is my 15:31:19  13 understanding, but is one of the reasons that 15:3  14 you increased from 2X to 3X because the 15:  15 peculiar order report was too lengthy? 15:31  16 MR. O'CONNOR: Objection to 15:3  17 A. Yes. 15:29:00  18 THE WITNESS: Yes. 15:31:20  19 QUESTIONS BY MR. KO: 15:3  20 Q. So it was creating an 15:31:21	15:30:30
5 Q just just generally there 15:28:35 6 was 15:28:35 7 A. Yes, you're correct. Yes. 15:28:35 8 Q. There was a strike by Covidien 15:28:37 9 employees in the 2010 time period. 15:28:39 10 How long did that last? 15:28:41 11 A. 17 weeks, I believe. 15:28:42 12 Q. Okay. A fairly long strike. 15:28:51 13 A. (Witness nods head.) 15:28:52 14 Q. And during that time period, 15:28:53 15 was there any work done on attempting to 15:28:54 16 improve or revise the SOM process? 15:29:00 17 A. Yes. 15:31:19 18 Q. And who was that work done by? 15:29:01 19 A. So the work was ongoing, with 15:29:03 20 Jim Rausch working with IT on the algorithms, 15:29:06  5 30, 2010, the algorithm that Mallinckrodt 15:36 titilized to determine whether or not an order 15: was suspicious was by determining whether an 15 order was three times greater than the prior 15:30:54 10 A. Yes. 15:30:57 11 A. Yes. 15:30:55 12 resulted for a variety of reasons, is my 15:31:0 13 understanding, but is one of the reasons that 15:3 14 you increased from 2X to 3X because the 15:3 15 MR. O'CONNOR: Objection to 15:3 16 MR. O'CONNOR: Objection to 15:3 17 A. Yes. 15:29:00 18 THE WITNESS: Yes. 15:31:20 19 QUESTIONS BY MR. KO: 15:3 19 QUESTIONS BY MR. KO: 15:3	36
6 was 15:28:35 7 A. Yes, you're correct. Yes. 15:28:35 8 Q. There was a strike by Covidien 15:28:37 9 employees in the 2010 time period. 15:28:39 10 How long did that last? 15:28:41 11 A. 17 weeks, I believe. 15:28:42 12 Q. Okay. A fairly long strike. 15:28:51 13 A. (Witness nods head.) 15:28:52 14 Q. And during that time period, 15:28:53 15 was there any work done on attempting to 15:28:54 16 improve or revise the SOM process? 15:29:00 17 A. Yes. 15:29:00 18 Q. And who was that work done by? 15:29:01 19 A. So the work was ongoing, with 15:29:03 20 Jim Rausch working with IT on the algorithms, 15:29:06  6 utilized to determine whether or not an order 15:2 7 was suspicious was by determining whether an 15 was suspicious was by determining whether an 16 was suspicious was tore than the prior 15:30:54 10 A. Yes. 15:30:55 11 Q. Okay. And this increase 15:30:58 12 resulted for a variety of reasons, is my 15:31:0 13 understanding, but is one of the reasons that 15:3 14 you increased from 2X to 3X because the 15: 15 MR. O'CONNOR: Objection to 15:3 15 Was there any work done on attempting to 15:28:54 16 MR. O'CONNOR: Objection to 15:3 17 A. Yes. 15:31:19 18 THE WITNESS: Yes. 15:31:20 19 Q. So it was creating an 15:31:21	5:30:36
A. Yes, you're correct. Yes. 15:28:35  Q. There was a strike by Covidien 15:28:37  employees in the 2010 time period. 15:28:39  How long did that last? 15:28:41  A. 17 weeks, I believe. 15:28:42  Q. Okay. A fairly long strike. 15:28:51  A. (Witness nods head.) 15:28:52  Q. And during that time period, 15:28:53  Was there any work done on attempting to 15:28:54  MR. O'CONNOR: Objection to 15:31:19  A. Yes. 15:31:19  A. So the work was ongoing, with 15:29:03  Jim Rausch working with IT on the algorithms, 15:29:06  Was suspicious was by determining whether an 18  was three times greater than the prior 15:3  15:30:54  A. Yes. 15:30:57  11 Q. Okay. And this increase 15:30:58  12 resulted for a variety of reasons, is my 15:31:0  13 understanding, but is one of the reasons that 15:3  14 you increased from 2X to 3X because the 15:  15 peculiar order report was too lengthy? 15:31  16 MR. O'CONNOR: Objection to 15:3  17 THE WITNESS: Yes. 15:31:20  Q. So it was creating an 15:31:21	15:30:38
Q. There was a strike by Covidien 15:28:37 9 employees in the 2010 time period. 15:28:39 10 How long did that last? 15:28:41 11 A. 17 weeks, I believe. 15:28:42 12 Q. Okay. A fairly long strike. 15:28:51 13 A. (Witness nods head.) 15:28:52 14 Q. And during that time period, 15:28:53 15 was there any work done on attempting to 15:28:54 16 improve or revise the SOM process? 15:29:00 17 A. Yes. 15:29:00 18 Q. And who was that work done by? 15:29:01 19 A. So the work was ongoing, with 15:29:03 20 Jim Rausch working with IT on the algorithms, 15:29:06  8 order was three times greater than the prior 15:3 9 year average; is that accurate? 15:30:54 10 A. Yes. 15:30:57 11 Q. Okay. And this increase 15:30:58 12 resulted for a variety of reasons, is my 15:31:0 13 understanding, but is one of the reasons that 15:3 14 you increased from 2X to 3X because the 15:0 15 peculiar order report was too lengthy? 15:31 16 MR. O'CONNOR: Objection to 15:3 17 A. Yes. 15:29:00 18 THE WITNESS: Yes. 15:31:20 19 QUESTIONS BY MR. KO: 15:3 20 Jim Rausch working with IT on the algorithms, 15:29:06 20 Q. So it was creating an 15:31:21	er 15:30:42
9 employees in the 2010 time period. 15:28:39 10 How long did that last? 15:28:41 11 A. 17 weeks, I believe. 15:28:42 12 Q. Okay. A fairly long strike. 15:28:51 13 A. (Witness nods head.) 15:28:52 14 Q. And during that time period, 15:28:53 15 was there any work done on attempting to 15:28:54 16 improve or revise the SOM process? 15:29:00 17 A. Yes. 15:29:00 18 Q. And who was that work done by? 15:29:01 19 A. So the work was ongoing, with 15:29:03 20 Jim Rausch working with IT on the algorithms, 15:29:06  10 How long did that last? 15:28:39 10 A. Yes. 15:30:54 11 Q. Okay. And this increase 15:30:58 12 resulted for a variety of reasons, is my 15:31:00 13 understanding, but is one of the reasons that 15:31 14 you increased from 2X to 3X because the 15: 15 peculiar order report was too lengthy? 15:31 16 THE WITNESS: Yes. 15:31:20 17 Q. Okay. And this increase 15:30:58 18 THE WITNESS: Yes. 15:31:20 19 QUESTIONS BY MR. KO: 15:31:21	er an 15:30:44
How long did that last? 15:28:41	15:30:50
A. 17 weeks, I believe. 15:28:42  Q. Okay. A fairly long strike. 15:28:51  A. (Witness nods head.) 15:28:52  Q. And during that time period, 15:28:53  May be a variety of reasons, is my 15:31:03  May be a variety of reasons, is my 15:31:05  May be a variety of reasons, is my 15:31:06  May be a variety of reasons, is my 15:31:06  May be a variety of reasons, is my 15:31:06  May be a variety of reasons, is my 15:31:06  May be a variety of reasons, is my 15:31:06  May be a variety of reasons, is my 15:31:06  May be a variety of reasons, is my 15:31:06  May be a variety of reasons, is my 15:31:06  May be a variety of reasons, is my 15:31:06  May be a variety of reasons, is my 15:31:06  May be a variety of reasons, is my 15:31:06  May b	5:30:54
Q. Okay. A fairly long strike. 15:28:51  12 resulted for a variety of reasons, is my 15:31:01  13 A. (Witness nods head.) 15:28:52  14 Q. And during that time period, 15:28:53  15 was there any work done on attempting to 15:28:54  16 improve or revise the SOM process? 15:28:56  17 A. Yes. 15:29:00  18 Q. And who was that work done by? 15:29:01  19 A. So the work was ongoing, with 15:29:03  20 Jim Rausch working with IT on the algorithms, 15:29:06  12 resulted for a variety of reasons, is my 15:31:02  12 resulted for a variety of reasons, is my 15:31:02  13 understanding, but is one of the reasons that 15:33  14 you increased from 2X to 3X because the 15:  15 peculiar order report was too lengthy? 15:31  16 form. 15:31:19  17 THE WITNESS: Yes. 15:31:20  18 QUESTIONS BY MR. KO: 15:3  20 Q. So it was creating an 15:31:21	
A. (Witness nods head.) 15:28:52 13 understanding, but is one of the reasons that 15:3 14 Q. And during that time period, 15:28:53 14 you increased from 2X to 3X because the 15:3 15 was there any work done on attempting to 15:28:54 15 peculiar order report was too lengthy? 15:31 16 improve or revise the SOM process? 15:28:56 16 MR. O'CONNOR: Objection to 15:3 17 A. Yes. 15:29:00 17 form. 15:31:19 18 Q. And who was that work done by? 15:29:01 18 THE WITNESS: Yes. 15:31:20 19 A. So the work was ongoing, with 15:29:03 19 QUESTIONS BY MR. KO: 15:3 1:21 19 15:31:21	5:30:58
Q. And during that time period, 15:28:53  15 was there any work done on attempting to 15:28:54  16 improve or revise the SOM process? 15:28:56  17 A. Yes. 15:29:00  18 Q. And who was that work done by? 15:29:01  19 A. So the work was ongoing, with 15:29:03  20 Jim Rausch working with IT on the algorithms, 15:29:06  14 you increased from 2X to 3X because the 15:  15 peculiar order report was too lengthy? 15:31  16 MR. O'CONNOR: Objection to 15:3  17 form. 15:31:19  18 THE WITNESS: Yes. 15:31:20  20 Q. So it was creating an 15:31:21	15:31:04
was there any work done on attempting to 15:28:54 15 peculiar order report was too lengthy? 15:31 16 improve or revise the SOM process? 15:28:56 16 MR. O'CONNOR: Objection to 15:3 17 A. Yes. 15:29:00 17 form. 15:31:19 18 Q. And who was that work done by? 15:29:01 18 THE WITNESS: Yes. 15:31:20 19 A. So the work was ongoing, with 15:29:03 19 QUESTIONS BY MR. KO: 15:3 12:20 19 QIESTIONS BY MR. KO: 15:31:21	ıt 15:31:08
16 improve or revise the SOM process?       15:28:56       16       MR. O'CONNOR: Objection to       15:3         17 A. Yes.       15:29:00       17 form.       15:31:19         18 Q. And who was that work done by?       15:29:01       18 THE WITNESS: Yes.       15:31:20         19 A. So the work was ongoing, with       15:29:03       19 QUESTIONS BY MR. KO:       15:3         20 Jim Rausch working with IT on the algorithms,       15:29:06       20 Q. So it was creating an       15:31:21	15:31:11
17       A. Yes.       15:29:00       17 form.       15:31:19         18       Q. And who was that work done by? 15:29:01       18 THE WITNESS: Yes.       15:31:20         19       A. So the work was ongoing, with 15:29:03       19 QUESTIONS BY MR. KO:       15:3         20       Jim Rausch working with IT on the algorithms, 15:29:06       20 Q. So it was creating an       15:31:21	15:31:14
Q. And who was that work done by? 15:29:01  A. So the work was ongoing, with 15:29:03  Jim Rausch working with IT on the algorithms, 15:29:06  Description:  18 THE WITNESS: Yes. 15:31:20  Q. So it was creating an 15:31:21	15:31:18
19 A. So the work was ongoing, with 15:29:03 19 QUESTIONS BY MR. KO: 15:3 20 Jim Rausch working with IT on the algorithms, 15:29:06 Q. So it was creating an 15:31:21	
20 Jim Rausch working with IT on the algorithms, 15:29:06 20 Q. So it was creating an 15:31:21	5:31:20
	15:31:20
21 so other subcomponents of the team continued 15:29:10 21 administrative burden because there were too 15	31:21
	00 15:31:22
22 while I was away. 15:29:13 22 many orders to review? 15:31:25	31:25
Q. Okay. And with respect to this 15:29:15 23 MR. O'CONNOR: Objection to 15:3	15:31:26
24 chronology, you have no reason to dispute the 15:29:17 24 form. 15:31:27	
25 accuracy of any of these events that you 15:29:21 25 THE WITNESS: Yes. 15:31:27	5:31:27

	Daga 222	1	Page 224
1	Page 322 QUESTIONS BY MR. KO: 15:31:29	1	Page 324 Exhibit 33 to the Stewart deposition. 15:34:04
2	Q. Okay. And so you and others 15:31:29	2	MR. KO: And for the record, it 15:34:15
3	believed that increasing the peculiar order 15:31:33	3	ends in Bates 279975. 15:34:11
4	algorithm to 3X would reduce the amount of 15:31:37	4	QUESTIONS BY MR. KO: 15:34:11
5	reports that were printed for the SOM team to 15:31:39	5	
	review, correct? 15:31:43	6	
6			e-mail exchange between you and Ms. Stewart. 15:34:23
7	A. That's correct, and the hope 15:31:45	7	Do you see that? 15:34:25
8	was that the truly the orders that needed 15:31:47	8	A. Yes. 15:34:26
9	to be investigated further would then print 15:31:50	9	Q. And I just have a couple 15:34:26
10	based upon this new change in the algorithm. 15:31:54	10	questions on this. 15:34:28
11	Q. Okay. And the increase from 2X 15:31:59	11	Ms. Stewart asks on Monday, 15:34:32
12	to 3X occurs during this time period well, 15:32:07	12	August 9, 2010, quote, "How's progress on the 15:34:36
13	strike that. 15:32:10	13	revised suspicious order monitoring program 15:34:43
14	I believe as of the date of 15:32:27	14	going?" end quote. 15:34:44
15	I know you don't recall when the actual 15:32:29	15	Did I read that correctly? 15:34:47
16	revised SOM policy was formalized, but at 15:32:32	16	A. Yes. 15:34:48
17	least as of the date of this e-mail, 15:32:34	17	Q. Okay. And your response you 15:34:48
18	October 31, 2010, the revised SOM program had 15:32:36	18	respond several things, but your response to 15:34:53
19	yet to be formalized; is that correct? 15:32:38	19	this question is, quote, "We had a meeting 15:34:54
20	MR. O'CONNOR: Objection. 15:32:40	20	last week that could only be classified as a 15:34:57
21	Form. 15:32:41	21	train wreck, but the effort will continue and 15:35:00
22	THE WITNESS: So that 15:32:41	22	I will not be discouraged. I will not be 15:35:02
23	depends yes. In a final SOP, yes, 15:32:46	23	discouraged. I will not be discouraged." 15:35:38
24	but I believe that we were updating 15:32:50	24	Did I read that correctly? 15:35:07
25	our work instructions or our 15:32:52	25	A. Yes. 15:35:07
	Page 323		Page 325
1	procedures all the way along the line. 15:32:53	1	Q. Okay. So fair to say that as 15:35:08
2	But, yes, finalized, signed, sealed, 15:32:56	2	of August 9, 2010, at least with respect to 15:35:11
3	yes, it was not at that time. 15:32:59	3	the meeting you had on the revised SOM 15:35:14
4	QUESTIONS BY MR. KO: 15:33:00	4	program, you believed that the meeting was a 15:35:16
5	Q. And when we talk about the 15:33:00	5	train wreck, correct? 15:35:19
6	final SOP or SOM procedure, this was a formal 15:33:01	6	A. That particular meeting, but I 15:35:21
7	document which lays out the criteria for 15:33:04	7	don't remember what the meeting was, and it's 15:35:23
8	identifying a suspicious order, correct? 15:33:07	8	an inartful term on my part. But, yes, 15:35:24
9	A. Correct. 15:33:10	9	that's what the e-mail says. 15:35:29
10	Q. And so at the time as of 15:33:11	10	Q. And you have no reason to doubt 15:35:30
11	October 31, 2010, a final SOM procedure that 15:33:13	11	that you sent this e-mail to Ms. Stewart? 15:35:32
12	outlines the criteria for identifying a 15:33:19	12	A. I don't. 15:35:34
13	suspicious order had not yet been finalized, 15:33:22	13	Q. Okay. Were you frustrated at 15:35:35
14	correct? 15:33:25	14	the time in August of 2010 with how the 15:35:39
15	A. So does this oh, that 15:33:25	15	revised suspicious order monitoring program 15:35:42
16	yes, that's correct based upon this e-mail, 15:33:30	16	was going? 15:35:44
17	yes. 15:33:32	17	A. I would like I would like to 15:35:44
18	Q. Okay. I'm going to hand you a 15:33:47	18	read this whole e-mail, please, for context, 15:35:51
19	copy of what will be marked as Harper 15:33:49	19	because it appears to be talking about 15:35:53
20	Exhibit 16. 15:33:50		
		20	
21	A. May I put these aside? 15:33:51	21	non-reexport. 15:35:59 So we've switched the 15:36:00
122	O Vos vou mer: 15.22.52		50 we've switched the 15:30:00
22	Q. Yes, you may. 15:33:52	22	
23	A. All right. 15:33:54	23	conversation to SOM, but I don't see that on 15:36:01
23 24	A. All right. 15:33:54 Q. Actually, I lied. It won't be 15:33:54	23 24	conversation to SOM, but I don't see that on 15:36:01 this page. 15:36:04
23	A. All right. 15:33:54	23	conversation to SOM, but I don't see that on 15:36:01

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1	So I guess I'll just ask you 15:36:05	1	group decided that the actual day-to-day 15:38:28
2	a question to save time. 15:36:08	2	monitoring responsibility should be switched 15:38:31
3	Ms. Stewart clearly asks you 15:36:10	3	to a non-customer service function in that 15:38:32
4	whether how progress on the revised 15:36:12	4	those that have responsibility to manage the 15:38:38
5	suspicious order monitoring program is going, 15:36:16	5	orders have a conflict of interest in 15:38:40
6	correct? 15:36:17	6	deciding which orders should ultimately be 15:38:42
7	A. Yes. 15:36:17	7	shipped, with the ultimate right with 15:38:46
8	Q. And separate and apart 15:36:17	8	ultimate right of refusal retained by the 15:38:50
9	separate and apart from what you responded to 15:36:18	9	controlled substances compliance group." 15:38:55
10	her, however inartful that was, my question 15:36:22	10	Q. Okay. Thank you for that. 15:38:56
11	to you is: Do you recall in the 2010 time 15:36:25	11	So is it accurate to say that 15:38:57
12	period being frustrated at the progress of 15:36:29	12	one of the things that came out of this 15:39:00
13	the revised SOM policy at Mallinckrodt? 15:36:32	13	conference call regarding Mallinckrodt's then 15:39:03
14	A. Yes. 15:36:35	14	existing SOM procedure was that you were 15:39:05
15	Q. Okay. And as of August 2010, 15:36:40	15	attempting to shift the day-to-day monitoring 15:39:09
16	this is about two and a half years after you 15:36:55	16	responsibility of particular orders to a 15:39:12
17	first identify SOM as being an elevated 15:36:58	17 18	non-customer service function? 15:39:19
18	priority for you; is that fair to say? 15:37:01  A. Yes. 15:37:03	19	A. That is correct. 15:39:20 Q. Okay. And earlier we had 15:39:21
20		20	Q. Okay. And earlier we had 15:39:21 discussed about earlier we had discussed 15:39:27
21	(Mallinckrodt-Harper Exhibit 16 15:37:07 marked for identification.) 15:37:07	21	the fact that certain salespeople did not 15:39:29
22	QUESTIONS BY MR. KO: 15:37:07	22	have day-to-day monitoring responsibilities 15:39:32
23	Q. Okay. I'm going to hand you a 15:37:07	23	with respect to SOM. 15:39:34
24	copy of what's going to now be marked as 15:37:08	24	Does this change your testimony 15:39:36
25	you can set that aside. 15:37:11	25	at all or refresh your recollection at all 15:39:38
	you can set that aside.		at an of fellesh your reconcetion at an 13.37.30
	Page 327		Page 329
	_		_
1	A. All right. 15:37:12	1	that at one point in time NAMs and/or 15:39:40
1 2	A. All right. 15:37:12 Q. This is a copy of Harper 15:37:13	1 2	that at one point in time NAMs and/or 15:39:40 customer service representatives did, indeed, 15:39:44
	A. All right. 15:37:12 Q. This is a copy of Harper 15:37:13 Exhibit 16. And for the record, it ends in 15:37:20		that at one point in time NAMs and/or 15:39:40 customer service representatives did, indeed, 15:39:44 have day-to-day monitoring responsibilities 15:39:49
3 4	A. All right. 15:37:12 Q. This is a copy of Harper 15:37:13 Exhibit 16. And for the record, it ends in 15:37:20 Bates 280260. 15:37:25	2 3 4	that at one point in time NAMs and/or 15:39:40 customer service representatives did, indeed, 15:39:44 have day-to-day monitoring responsibilities 15:39:49 with respect to Mallinckrodt's suspicious 15:39:50
2 3 4 5	A. All right. 15:37:12 Q. This is a copy of Harper 15:37:13  Exhibit 16. And for the record, it ends in 15:37:20  Bates 280260. 15:37:25  And this is an e-mail exchange 15:37:37	2 3 4 5	that at one point in time NAMs and/or customer service representatives did, indeed, 15:39:40 have day-to-day monitoring responsibilities 15:39:49 with respect to Mallinckrodt's suspicious 15:39:50 order monitoring program? 15:39:53
2 3 4 5 6	A. All right. 15:37:12 Q. This is a copy of Harper 15:37:13  Exhibit 16. And for the record, it ends in 15:37:20  Bates 280260. 15:37:25  And this is an e-mail exchange 15:37:37  between, again, you and Ms. Spaulding dated 15:37:38	2 3 4 5 6	that at one point in time NAMs and/or customer service representatives did, indeed, 15:39:44 have day-to-day monitoring responsibilities 15:39:49 with respect to Mallinckrodt's suspicious 15:39:50 order monitoring program? 15:39:53  MR. O'CONNOR: Objection to 15:39:53
2 3 4 5 6 7	A. All right. 15:37:12 Q. This is a copy of Harper 15:37:13  Exhibit 16. And for the record, it ends in 15:37:20  Bates 280260. 15:37:25  And this is an e-mail exchange 15:37:37  between, again, you and Ms. Spaulding dated 15:37:38  September 24, 2010? 15:37:44	2 3 4 5 6 7	that at one point in time NAMs and/or customer service representatives did, indeed, 15:39:44 have day-to-day monitoring responsibilities 15:39:49 with respect to Mallinckrodt's suspicious order monitoring program? 15:39:53  MR. O'CONNOR: Objection to 15:39:53 form. 15:39:54
2 3 4 5 6 7 8	A. All right. 15:37:12  Q. This is a copy of Harper 15:37:13  Exhibit 16. And for the record, it ends in 15:37:20  Bates 280260. 15:37:25  And this is an e-mail exchange 15:37:37  between, again, you and Ms. Spaulding dated 15:37:38  September 24, 2010? 15:37:44  A. Correct, yes. 15:37:45	2 3 4 5 6 7 8	that at one point in time NAMs and/or customer service representatives did, indeed, 15:39:44 have day-to-day monitoring responsibilities 15:39:49 with respect to Mallinckrodt's suspicious 15:39:50 order monitoring program? 15:39:53  MR. O'CONNOR: Objection to 15:39:53 form. 15:39:54  THE WITNESS: So I'd like to 15:39:54
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2 3 4 5 6 7 8 9 10	A. All right. 15:37:12 Q. This is a copy of Harper 15:37:13  Exhibit 16. And for the record, it ends in 15:37:20  Bates 280260. 15:37:25  And this is an e-mail exchange 15:37:37  between, again, you and Ms. Spaulding dated 15:37:38  September 24, 2010? 15:37:44  A. Correct, yes. 15:37:45 Q. And Ms. Spaulding asks at the 15:37:46  bottom how a conference call on SOM went. 15:37:54  Do you see that? 15:37:59	2 3 4 5 6 7 8 9 10	that at one point in time NAMs and/or customer service representatives did, indeed, 15:39:44 have day-to-day monitoring responsibilities 15:39:49 with respect to Mallinckrodt's suspicious 15:39:50 order monitoring program? 15:39:53  MR. O'CONNOR: Objection to 15:39:53 form. 15:39:54  THE WITNESS: So I'd like to 15:39:54 clarify, please. 15:39:54  When we talk about commercial 15:39:55 group, that's the NAMs. 15:39:56
2 3 4 5 6 7 8 9 10 11 12	A. All right. 15:37:12 Q. This is a copy of Harper 15:37:13  Exhibit 16. And for the record, it ends in 15:37:20  Bates 280260. 15:37:25  And this is an e-mail exchange 15:37:37  between, again, you and Ms. Spaulding dated 15:37:38  September 24, 2010? 15:37:44  A. Correct, yes. 15:37:45 Q. And Ms. Spaulding asks at the 15:37:46  bottom how a conference call on SOM went. 15:37:54  Do you see that? 15:37:59 A. Uh-huh. I do. 15:38:00	2 3 4 5 6 7 8 9 10 11 12	that at one point in time NAMs and/or customer service representatives did, indeed, 15:39:44 have day-to-day monitoring responsibilities 15:39:49 with respect to Mallinckrodt's suspicious 15:39:50 order monitoring program? 15:39:53  MR. O'CONNOR: Objection to 15:39:53 form. 15:39:54  THE WITNESS: So I'd like to 15:39:54 clarify, please. 15:39:54  When we talk about commercial 15:39:55 group, that's the NAMs. 15:39:56  Customer service is not called 15:39:58
2 3 4 5 6 7 8 9 10 11 12 13	A. All right. 15:37:12 Q. This is a copy of Harper 15:37:13  Exhibit 16. And for the record, it ends in 15:37:20  Bates 280260. 15:37:25  And this is an e-mail exchange 15:37:37  between, again, you and Ms. Spaulding dated 15:37:38  September 24, 2010? 15:37:44  A. Correct, yes. 15:37:45 Q. And Ms. Spaulding asks at the 15:37:46  bottom how a conference call on SOM went. 15:37:54  Do you see that? 15:37:59  A. Uh-huh. I do. 15:38:00 Q. And you respond, and I'd ask 15:38:01	2 3 4 5 6 7 8 9 10 11 12 13	that at one point in time NAMs and/or customer service representatives did, indeed, 15:39:49 have day-to-day monitoring responsibilities 15:39:49 with respect to Mallinckrodt's suspicious 15:39:50 order monitoring program? 15:39:53  MR. O'CONNOR: Objection to 15:39:53 form. 15:39:54  THE WITNESS: So I'd like to 15:39:54 clarify, please. 15:39:54  When we talk about commercial 15:39:55 group, that's the NAMs. 15:39:56  Customer service is not called 15:39:58 commercial group, unless I 15:40:00
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	Page 330		Page 332
1	date of this e-mail, it would be accurate to 15:40:25	1	A. Yes, except Jane Williams was 15:42:19
2	say that CSRs had actual day-to-day 15:40:27	2	vice president. And she was in charge of the 15:42:22
3	monitoring responsibilities with respect to 15:40:30	3	NAMs but not a NAM herself. 15:42:24
4	Mallinckrodt's SOM program? 15:40:31	4	Q. Right. Thank you for the 15:42:26
5	A. So I'd like to clarify. It was 15:40:33	5	clarification. 15:42:27
6	Jim Rausch in particular who was the manager 15:40:34	6	So during the two would it 15:42:27
7	of C customer service. 15:40:36	7	be accurate to say that during the 2005 15:42:30
8	Q. Okay. So what you're saying 15:40:39	8	through 2017 time period you interacted with 15:42:35
9	then through this e-mail is that you wanted 15:40:41	9	about four NAMs? 15:42:37
10	to remove Jim Rausch from the day-to-day 15:40:45	10	A. So there was also Bonnie New 15:42:39
11	monitoring of Mallinckrodt's SOM program? 15:40:48	11	is another. There was a gentleman who a 15:42:46
12	A. The group decided that, yes. 15:40:50	12	name Dave Irwin. Again, people transitioned 15:42:51
13	Q. Okay. And did you in fact 15:40:52	13	roles over time, and, I'm sorry, I cannot say 15:42:53
14	implement this policy change? 15:40:53	14	that at one certain time frame which NAMs I 15:42:54
15	A. Yes. 15:40:55	15	interacted with. 15:42:57
16	Q. Okay. Now, I know that you're 15:40:55	16	Q. Sure. And I'm just trying to 15:42:57
17	not referring to NAMs here, but would you 15:41:11	17	get a general understanding. 15:42:59
18	agree with me that well, first of all, let 15:41:15	18	A. Okay. 15:43:00
19	me back up. 15:41:19	19	Q. So approximately four to five 15:43:01
20	Do you have any understanding 15:41:19	20	NAMs that you interacted with in connection 15:43:02
21	of how many national account managers there 15:41:20	21	with your in connection with your 15:43:04
22	were at Mallinckrodt? 15:41:23	22	responsibilities in designing, implementing, 15:43:08
23	A. I do not. 15:41:24	23	an SOM program, correct? 15:43:09
24	Q. Okay. Does the number four 15:41:25	24	A. I'll agree with approximately, 15:43:11
25	sound accurate to you? 15:41:29	25	yes. 15:43:13
	•		
	Page 331		Dog 222
	_		Page 333
1	A. It's possible. I just don't 15:41:30	1	Q. Okay. And despite not knowing 15:43:13
2	A. It's possible. I just don't 15:41:30 I don't know. 15:41:32	2	Q. Okay. And despite not knowing 15:43:13 exactly how much NAMs made, was it your 15:43:24
2 3	A. It's possible. I just don't 15:41:30  I don't know. 15:41:32  Q. Okay. Would you if I 15:41:33	2 3	Q. Okay. And despite not knowing 15:43:13 exactly how much NAMs made, was it your 15:43:24 understanding that NAMs were compensated 15:43:26
2 3 4	A. It's possible. I just don't 15:41:30  I don't know. 15:41:32  Q. Okay. Would you if I 15:41:33  represented to you, and assuming that I could 15:41:38	2 3 4	Q. Okay. And despite not knowing 15:43:13 exactly how much NAMs made, was it your 15:43:24 understanding that NAMs were compensated 15:43:26 based on the amount of customers that they 15:43:27
2 3	A. It's possible. I just don't 15:41:30  I don't know. 15:41:32  Q. Okay. Would you if I 15:41:33  represented to you, and assuming that I could 15:41:38  prove at trial that there were approximately 15:41:40	2 3 4 5	Q. Okay. And despite not knowing 15:43:13 exactly how much NAMs made, was it your 15:43:24 understanding that NAMs were compensated 15:43:26 based on the amount of customers that they 15:43:27 had? 15:43:32
2 3 4	A. It's possible. I just don't 15:41:30  I don't know. 15:41:32  Q. Okay. Would you if I 15:41:33  represented to you, and assuming that I could 15:41:38  prove at trial that there were approximately 15:41:40  eight national account managers at 15:41:42	2 3 4 5 6	Q. Okay. And despite not knowing 15:43:13 exactly how much NAMs made, was it your 15:43:24 understanding that NAMs were compensated 15:43:26 based on the amount of customers that they 15:43:27 had? 15:43:32 A. No, I didn't I didn't know. 15:43:32
2 3 4 5	A. It's possible. I just don't 15:41:30  I don't know. 15:41:32  Q. Okay. Would you if I 15:41:33  represented to you, and assuming that I could 15:41:38  prove at trial that there were approximately 15:41:40  eight national account managers at 15:41:42  Mallinckrodt during the 2005 through 2015 15:41:44	2 3 4 5 6 7	Q. Okay. And despite not knowing 15:43:13 exactly how much NAMs made, was it your 15:43:24 understanding that NAMs were compensated 15:43:26 based on the amount of customers that they 15:43:27 had? 15:43:32 A. No, I didn't I didn't know. 15:43:32 Q. You had no understanding? 15:43:34
2 3 4 5 6	A. It's possible. I just don't 15:41:30  I don't know. 15:41:32  Q. Okay. Would you if I 15:41:33  represented to you, and assuming that I could 15:41:38  prove at trial that there were approximately 15:41:40  eight national account managers at 15:41:42  Mallinckrodt during the 2005 through 2015 15:41:44  time period, does that is that consistent 15:41:48	2 3 4 5 6 7 8	Q. Okay. And despite not knowing 15:43:13 exactly how much NAMs made, was it your 15:43:24 understanding that NAMs were compensated 15:43:26 based on the amount of customers that they 15:43:27 had? 15:43:32 A. No, I didn't I didn't know. 15:43:32 Q. You had no understanding? 15:43:34 A. Right. 15:43:35
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2 3 4 5 6 7 8 9 10	A. It's possible. I just don't 15:41:30  I don't know. 15:41:32  Q. Okay. Would you if I 15:41:33  represented to you, and assuming that I could 15:41:38  prove at trial that there were approximately 15:41:40  eight national account managers at 15:41:42  Mallinckrodt during the 2005 through 2015 15:41:44  time period, does that is that consistent 15:41:48  with your understanding? 15:41:49  MR. O'CONNOR: Object to form. 15:41:51  THE WITNESS: I just don't know 15:41:52	2 3 4 5 6 7 8 9 10	Q. Okay. And despite not knowing 15:43:13 exactly how much NAMs made, was it your 15:43:24 understanding that NAMs were compensated 15:43:26 based on the amount of customers that they 15:43:27 had? 15:43:32  A. No, I didn't I didn't know. 15:43:32 Q. You had no understanding? 15:43:34 A. Right. 15:43:35 Q. Okay. To the extent they were 15:43:36 compensated based on the volume of pills 15:43:40 purchased by their customers, would you agree 15:43:46
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2 3 4 5 6 7 8 9 10 11 12 13 14 15	A. It's possible. I just don't 15:41:30  I don't know. 15:41:32  Q. Okay. Would you if I 15:41:33  represented to you, and assuming that I could 15:41:38  prove at trial that there were approximately 15:41:40  eight national account managers at 15:41:42  Mallinckrodt during the 2005 through 2015 15:41:44  time period, does that is that consistent 15:41:48  with your understanding? 15:41:49  MR. O'CONNOR: Object to form. 15:41:51  THE WITNESS: I just don't know 15:41:52  who the NAMs were at any particular 15:41:55  time or assigned to which product 15:41:57  line. 15:41:59  QUESTIONS BY MR. KO: 15:42:00	2 3 4 5 6 7 8 9 10 11 12 13	Q. Okay. And despite not knowing 15:43:13 exactly how much NAMs made, was it your understanding that NAMs were compensated 15:43:26 based on the amount of customers that they 15:43:27 had? 15:43:32 A. No, I didn't I didn't know. 15:43:32 Q. You had no understanding? 15:43:34 A. Right. 15:43:35 Q. Okay. To the extent they were 15:43:36 compensated based on the volume of pills 15:43:40 purchased by their customers, would you agree 15:43:46 that that would be a conflict of interest 15:43:48 MR. O'CONNOR: Object to form. 15:43:51 QUESTIONS BY MR. KO: 15:43:51
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. It's possible. I just don't 15:41:30  I don't know. 15:41:32  Q. Okay. Would you if I 15:41:33 represented to you, and assuming that I could 15:41:38 prove at trial that there were approximately 15:41:40 eight national account managers at 15:41:42 Mallinckrodt during the 2005 through 2015 15:41:44 time period, does that is that consistent 15:41:48 with your understanding? 15:41:49  MR. O'CONNOR: Object to form. 15:41:51  THE WITNESS: I just don't know 15:41:52 who the NAMs were at any particular 15:41:55 time or assigned to which product 15:41:57 line. 15:41:59  QUESTIONS BY MR. KO: 15:42:00 Q. Sure. 15:42:00	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Okay. And despite not knowing 15:43:13 exactly how much NAMs made, was it your understanding that NAMs were compensated 15:43:26 based on the amount of customers that they 15:43:27 had? 15:43:32  A. No, I didn't I didn't know. 15:43:32  Q. You had no understanding? 15:43:34  A. Right. 15:43:35  Q. Okay. To the extent they were 15:43:36 compensated based on the volume of pills 15:43:40 purchased by their customers, would you agree 15:43:46 that that would be a conflict of interest 15:43:48  MR. O'CONNOR: Object to form. 15:43:51  QUESTIONS BY MR. KO: 15:43:51 involved in the SOM monitoring process? 15:43:52
2 3 4 5 6 7 8 9 10 11 12 13 14 15	A. It's possible. I just don't 15:41:30  I don't know. 15:41:32  Q. Okay. Would you if I 15:41:33 represented to you, and assuming that I could 15:41:38 prove at trial that there were approximately 15:41:40 eight national account managers at 15:41:42 Mallinckrodt during the 2005 through 2015 15:41:44 time period, does that is that consistent 15:41:48 with your understanding? 15:41:49  MR. O'CONNOR: Object to form. 15:41:51 THE WITNESS: I just don't know 15:41:52 who the NAMs were at any particular 15:41:55 time or assigned to which product 15:41:57 line. 15:41:59  QUESTIONS BY MR. KO: 15:42:00 Q. Sure. 15:42:00 But you interacted with many of 15:42:00	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Okay. And despite not knowing 15:43:13 exactly how much NAMs made, was it your understanding that NAMs were compensated 15:43:26 based on the amount of customers that they 15:43:27 had? 15:43:32  A. No, I didn't I didn't know. 15:43:32 Q. You had no understanding? 15:43:34 A. Right. 15:43:35 Q. Okay. To the extent they were 15:43:36 compensated based on the volume of pills 15:43:40 purchased by their customers, would you agree 15:43:46 that that would be a conflict of interest 15:43:48 MR. O'CONNOR: Object to form. 15:43:51 Q to the extent they were 15:43:51 involved in the SOM monitoring process? 15:43:52 MR. O'CONNOR: Same objection. 15:43:54
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. It's possible. I just don't 15:41:30  I don't know. 15:41:32  Q. Okay. Would you if I 15:41:33 represented to you, and assuming that I could 15:41:38 prove at trial that there were approximately 15:41:40 eight national account managers at 15:41:42 Mallinckrodt during the 2005 through 2015 15:41:44 time period, does that is that consistent 15:41:48 with your understanding? 15:41:49  MR. O'CONNOR: Object to form. 15:41:51  THE WITNESS: I just don't know 15:41:52 who the NAMs were at any particular 15:41:55 time or assigned to which product 15:41:57 line. 15:41:59  QUESTIONS BY MR. KO: 15:42:00 Q. Sure. 15:42:00	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Okay. And despite not knowing 15:43:13 exactly how much NAMs made, was it your understanding that NAMs were compensated 15:43:26 based on the amount of customers that they 15:43:27 had? 15:43:32  A. No, I didn't I didn't know. 15:43:32 Q. You had no understanding? 15:43:34 A. Right. 15:43:35 Q. Okay. To the extent they were 15:43:36 compensated based on the volume of pills 15:43:40 purchased by their customers, would you agree 15:43:46 that that would be a conflict of interest 15:43:48  MR. O'CONNOR: Object to form. 15:43:51 Q to the extent they were 15:43:51 involved in the SOM monitoring process? 15:43:52  MR. O'CONNOR: Same objection. 15:43:54  THE WITNESS: So I'm sorry, are 15:43:54
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. It's possible. I just don't 15:41:30  I don't know. 15:41:32  Q. Okay. Would you if I 15:41:33 represented to you, and assuming that I could 15:41:38 prove at trial that there were approximately 15:41:40 eight national account managers at 15:41:42 Mallinckrodt during the 2005 through 2015 15:41:44 time period, does that is that consistent 15:41:48 with your understanding? 15:41:49  MR. O'CONNOR: Object to form. 15:41:51 THE WITNESS: I just don't know 15:41:52 who the NAMs were at any particular 15:41:55 time or assigned to which product 15:41:57 line. 15:41:59  QUESTIONS BY MR. KO: 15:42:00  But you interacted with many of 15:42:00 the NAMs, correct? 15:42:04	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Okay. And despite not knowing 15:43:13 exactly how much NAMs made, was it your understanding that NAMs were compensated 15:43:26 based on the amount of customers that they 15:43:27 had? 15:43:32  A. No, I didn't I didn't know. 15:43:32 Q. You had no understanding? 15:43:34 A. Right. 15:43:35 Q. Okay. To the extent they were 15:43:36 compensated based on the volume of pills 15:43:40 purchased by their customers, would you agree 15:43:46 that that would be a conflict of interest 15:43:48 MR. O'CONNOR: Object to form. 15:43:51 QUESTIONS BY MR. KO: 15:43:51 involved in the SOM monitoring process? 15:43:52 MR. O'CONNOR: Same objection. 15:43:54 THE WITNESS: So I'm sorry, are 15:43:55
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. It's possible. I just don't 15:41:30  I don't know. 15:41:32  Q. Okay. Would you if I 15:41:33 represented to you, and assuming that I could 15:41:38 prove at trial that there were approximately 15:41:40 eight national account managers at 15:41:42  Mallinckrodt during the 2005 through 2015 15:41:44 time period, does that is that consistent 15:41:48 with your understanding? 15:41:49  MR. O'CONNOR: Object to form. 15:41:51  THE WITNESS: I just don't know 15:41:52 who the NAMs were at any particular 15:41:55 time or assigned to which product 15:41:57 line. 15:41:59  QUESTIONS BY MR. KO: 15:42:00  Q. Sure. 15:42:00 But you interacted with many of 15:42:00 the NAMs, correct? 15:42:03	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. Okay. And despite not knowing 15:43:13 exactly how much NAMs made, was it your understanding that NAMs were compensated 15:43:26 based on the amount of customers that they 15:43:27 had? 15:43:32  A. No, I didn't I didn't know. 15:43:32 Q. You had no understanding? 15:43:34 A. Right. 15:43:35 Q. Okay. To the extent they were 15:43:36 compensated based on the volume of pills 15:43:40 purchased by their customers, would you agree 15:43:46 that that would be a conflict of interest 15:43:48  MR. O'CONNOR: Object to form. 15:43:51 Q to the extent they were 15:43:51 involved in the SOM monitoring process? 15:43:52  MR. O'CONNOR: Same objection. 15:43:54  THE WITNESS: So I'm sorry, are 15:43:54
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. It's possible. I just don't 15:41:30  I don't know. 15:41:32  Q. Okay. Would you if I 15:41:33 represented to you, and assuming that I could 15:41:38 prove at trial that there were approximately 15:41:40 eight national account managers at 15:41:42 Mallinckrodt during the 2005 through 2015 15:41:44 time period, does that is that consistent 15:41:48 with your understanding? 15:41:49  MR. O'CONNOR: Object to form. 15:41:51 THE WITNESS: I just don't know 15:41:52 who the NAMs were at any particular 15:41:55 time or assigned to which product 15:41:57 line. 15:41:59  QUESTIONS BY MR. KO: 15:42:00  But you interacted with many of 15:42:00 the NAMs, correct? 15:42:04	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. Okay. And despite not knowing 15:43:13 exactly how much NAMs made, was it your understanding that NAMs were compensated 15:43:26 based on the amount of customers that they 15:43:27 had? 15:43:32  A. No, I didn't I didn't know. 15:43:32 Q. You had no understanding? 15:43:34 A. Right. 15:43:35 Q. Okay. To the extent they were 15:43:36 compensated based on the volume of pills 15:43:40 purchased by their customers, would you agree 15:43:46 that that would be a conflict of interest 15:43:48 MR. O'CONNOR: Object to form. 15:43:51 QUESTIONS BY MR. KO: 15:43:51 involved in the SOM monitoring process? 15:43:52 MR. O'CONNOR: Same objection. 15:43:54 THE WITNESS: So I'm sorry, are 15:43:55
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. It's possible. I just don't 15:41:30  I don't know. 15:41:32  Q. Okay. Would you if I 15:41:33 represented to you, and assuming that I could 15:41:38 prove at trial that there were approximately 15:41:40 eight national account managers at 15:41:42 Mallinckrodt during the 2005 through 2015 15:41:44 time period, does that is that consistent 15:41:48 with your understanding? 15:41:49  MR. O'CONNOR: Object to form. 15:41:51  THE WITNESS: I just don't know 15:41:52 who the NAMs were at any particular 15:41:55 time or assigned to which product 15:41:57 line. 15:41:59  QUESTIONS BY MR. KO: 15:42:00 Q. Sure. 15:42:00 But you interacted with many of 15:42:00 the NAMs, correct? 15:42:04 Q. And how many NAMs did you 15:42:05	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. Okay. And despite not knowing 15:43:13 exactly how much NAMs made, was it your understanding that NAMs were compensated 15:43:26 based on the amount of customers that they 15:43:27 had? 15:43:32  A. No, I didn't I didn't know. 15:43:32 Q. You had no understanding? 15:43:34 A. Right. 15:43:35 Q. Okay. To the extent they were 15:43:36 compensated based on the volume of pills 15:43:40 purchased by their customers, would you agree 15:43:46 that that would be a conflict of interest 15:43:48 MR. O'CONNOR: Object to form. 15:43:51 QUESTIONS BY MR. KO: 15:43:51 involved in the SOM monitoring process? 15:43:54  MR. O'CONNOR: Same objection. 15:43:54  THE WITNESS: So I'm sorry, are 15:43:55 that they were definitely because I 15:43:59
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. It's possible. I just don't 15:41:30  I don't know. 15:41:32  Q. Okay. Would you if I 15:41:33 represented to you, and assuming that I could 15:41:38 prove at trial that there were approximately 15:41:40 eight national account managers at 15:41:42  Mallinckrodt during the 2005 through 2015 15:41:44 time period, does that is that consistent 15:41:48 with your understanding? 15:41:49  MR. O'CONNOR: Object to form. 15:41:51  THE WITNESS: I just don't know 15:41:52 who the NAMs were at any particular 15:41:55 time or assigned to which product 15:41:57 line. 15:41:59  QUESTIONS BY MR. KO: 15:42:00 Q. Sure. 15:42:00 But you interacted with many of 15:42:00 the NAMs, correct? 15:42:04 Q. And how many NAMs did you 15:42:05 interact with? 15:42:06	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Okay. And despite not knowing 15:43:13 exactly how much NAMs made, was it your understanding that NAMs were compensated 15:43:26 based on the amount of customers that they 15:43:27 had? 15:43:32  A. No, I didn't I didn't know. 15:43:32 Q. You had no understanding? 15:43:34 A. Right. 15:43:35 Q. Okay. To the extent they were 15:43:36 compensated based on the volume of pills 15:43:40 purchased by their customers, would you agree 15:43:46 that that would be a conflict of interest 15:43:48  MR. O'CONNOR: Object to form. 15:43:51 Q to the extent they were 15:43:51 involved in the SOM monitoring process? 15:43:52  MR. O'CONNOR: Same objection. 15:43:54  THE WITNESS: So I'm sorry, are 15:43:55 that they were definitely because I 15:43:59 don't know about their compensation, 15:44:01
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. It's possible. I just don't 15:41:30  I don't know. 15:41:32  Q. Okay. Would you if I 15:41:33 represented to you, and assuming that I could 15:41:38 prove at trial that there were approximately 15:41:40 eight national account managers at 15:41:42  Mallinckrodt during the 2005 through 2015 15:41:44 time period, does that is that consistent 15:41:48 with your understanding? 15:41:49  MR. O'CONNOR: Object to form. 15:41:51  THE WITNESS: I just don't know 15:41:52 who the NAMs were at any particular 15:41:55 time or assigned to which product 15:41:57 line. 15:41:59  QUESTIONS BY MR. KO: 15:42:00  But you interacted with many of 15:42:00 the NAMs, correct? 15:42:04 Q. And how many NAMs did you 15:42:05 interact with? 15:42:06  A. Four to six, I'm guesstimating. 15:42:06	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Okay. And despite not knowing 15:43:13 exactly how much NAMs made, was it your understanding that NAMs were compensated 15:43:26 based on the amount of customers that they 15:43:27 had? 15:43:32 A. No, I didn't I didn't know. 15:43:32 Q. You had no understanding? 15:43:34 A. Right. 15:43:35 Q. Okay. To the extent they were 15:43:36 compensated based on the volume of pills 15:43:40 purchased by their customers, would you agree 15:43:46 that that would be a conflict of interest 15:43:48 MR. O'CONNOR: Object to form. 15:43:51 Q to the extent they were 15:43:51 involved in the SOM monitoring process? 15:43:52 MR. O'CONNOR: Same objection. 15:43:54 we making the the inferential leap 15:43:55 that they were definitely because I 15:43:59 don't know about their compensation, 15:44:01 if it was dollars, pills, accounts, 15:44:01
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. It's possible. I just don't 15:41:30  I don't know. 15:41:32  Q. Okay. Would you if I 15:41:33 represented to you, and assuming that I could 15:41:38 prove at trial that there were approximately 15:41:40 eight national account managers at 15:41:42 Mallinckrodt during the 2005 through 2015 15:41:44 time period, does that is that consistent 15:41:48 with your understanding? 15:41:49  MR. O'CONNOR: Object to form. 15:41:51  THE WITNESS: I just don't know 15:41:52 who the NAMs were at any particular 15:41:55 time or assigned to which product 15:41:57 line. 15:41:59  QUESTIONS BY MR. KO: 15:42:00  Q. Sure. 15:42:00 But you interacted with many of 15:42:00 the NAMs, correct? 15:42:04 Q. And how many NAMs did you 15:42:05 interact with? 15:42:06 A. Four to six, I'm guesstimating. 15:42:13	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Okay. And despite not knowing 15:43:13 exactly how much NAMs made, was it your understanding that NAMs were compensated 15:43:26 based on the amount of customers that they 15:43:27 had? 15:43:32  A. No, I didn't I didn't know. 15:43:32 Q. You had no understanding? 15:43:34 A. Right. 15:43:35 Q. Okay. To the extent they were 15:43:36 compensated based on the volume of pills 15:43:40 purchased by their customers, would you agree 15:43:46 that that would be a conflict of interest 15:43:48 MR. O'CONNOR: Object to form. 15:43:51 Q to the extent they were 15:43:51 involved in the SOM monitoring process? 15:43:52 MR. O'CONNOR: Same objection. 15:43:54  THE WITNESS: So I'm sorry, are 15:43:54 we making the the inferential leap 15:43:59 don't know about their compensation, 15:44:01 if it was dollars, pills, accounts, 15:44:01 regions. I don't know that. 15:44:04

	Page 334		Page 336
1	Assuming that NAMs were paid 15:44:06	1	conflict of interest that would apply with 15:46:13
2	based on volume of pills sold, at least in 15:44:09	2	respect to a national account manager? 15:46:15
3	part 15:44:11	3	MR. O'CONNOR: Object to form. 15:46:16
4	A. Okay. 15:44:11	4	THE WITNESS: So it doesn't, 15:46:17
5	Q were paid based on the 15:44:13	5	because neither of them, neither the 15:46:18
6	amount of pills that they were able to sell 15:44:14	6	NAMs or customer service, were 15:46:20
7	to a particular customer, would you agree 15:44:16	7	after this, they were not directly 15:46:26
8	that that would be a conflict of interest to 15:44:18	8	responsible for the day-to-day 15:46:28
9	have them involved in evaluating whether or 15:44:18	9	monitoring. They were consulted or 15:46:29
10	not an order was suspicious? 15:44:23	10	rose situations to our attention. 15:46:31
11	MR. O'CONNOR: Object to form. 15:44:24	11	QUESTIONS BY MR. KO: 15:46:33
12	THE WITNESS: No. 15:44:25	12	Q. I understand that that was 15:46:34
13	QUESTIONS BY MR. KO: 15:44:26	13	the what happened after this e-mail, or 15:46:34
14	Q. Okay. And going back to the 15:44:26	14	that change was attempted to be made. But 15:46:37
15	e-mail that's in front of you and you 15:44:41	15	prior to the date of this, you are 15:46:40
16	indicate that at least from this meeting it 15:44:45	16	indicating, are you not, in this e-mail that 15:46:46
17	was agreed that customer service 15:44:51	17	a conflict of interest exists with respect to 15:46:47
18	representatives would no longer be involved 15:44:56	18	the customer service group? 15:46:49
19	in the day-to-day monitoring because of 15:44:58	19	A. It does state yes, it does 15:46:51
20	their because of a conflict of interest. 15:45:00	20	state that. 15:46:59
21	MR. O'CONNOR: Object to form. 15:45:02	21	Q. And you said also that national 15:46:59
22	QUESTIONS BY MR. KO: 15:45:03	22	account managers have involvement in in 15:47:01
23	Q. Do you see it? 15:45:05	23	Mallinckrodt customers as well, right? 15:47:04
24	A. Yes. Yes, I do see that. Yes. 15:45:06	24	A. Correct. 15:47:06
25	Q. And what is the conflict of 15:45:09	25	Q. And that approximately four to 15:47:07
	Page 335		Page 337
- 1			
1	interest that you're referring to there? 15:45:10	1	eight national account managers that 15:47:11
2	A. It's a you know, it's just a 15:45:11	2	Mallinckrodt had, they were in charge of 15:47:12
2 3	A. It's a you know, it's just a 15:45:11 conglomeration of even though customer 15:45:12	2	Mallinckrodt had, they were in charge of 15:47:12 wholesale distributors that Mallinckrodt 15:47:15
2 3 4	A. It's a you know, it's just a 15:45:11 conglomeration of even though customer 15:45:12 service is separate from the NAMs and 15:45:16	2 3 4	Mallinckrodt had, they were in charge of 15:47:12 wholesale distributors that Mallinckrodt 15:47:15 supplied drugs to, correct? 15:47:18
2 3 4 5	A. It's a you know, it's just a 15:45:11 conglomeration of even though customer 15:45:12 service is separate from the NAMs and 15:45:16 separate from commercial, customer service 15:45:20	2 3 4 5	Mallinckrodt had, they were in charge of 15:47:12 wholesale distributors that Mallinckrodt 15:47:15 supplied drugs to, correct? 15:47:18 MR. O'CONNOR: Object to form. 15:47:20
2 3 4 5 6	A. It's a you know, it's just a 15:45:11  conglomeration of even though customer 15:45:12  service is separate from the NAMs and 15:45:16  separate from commercial, customer service 15:45:20  does maintain a relationship with the 15:45:22	2 3 4 5 6	Mallinckrodt had, they were in charge of 15:47:12 wholesale distributors that Mallinckrodt 15:47:15 supplied drugs to, correct? 15:47:18  MR. O'CONNOR: Object to form. 15:47:20  THE WITNESS: Correct. 15:47:20
2 3 4 5 6 7	A. It's a you know, it's just a 15:45:11 conglomeration of even though customer 15:45:12 service is separate from the NAMs and 15:45:16 separate from commercial, customer service 15:45:20 does maintain a relationship with the 15:45:22 customers. And so that's the basis on which 15:45:24	2 3 4 5 6 7	Mallinckrodt had, they were in charge of 15:47:12 wholesale distributors that Mallinckrodt 15:47:15 supplied drugs to, correct? 15:47:18  MR. O'CONNOR: Object to form. 15:47:20  THE WITNESS: Correct. 15:47:20  QUESTIONS BY MR. KO: 15:47:21
2 3 4 5 6 7 8	A. It's a you know, it's just a 15:45:11 conglomeration of even though customer 15:45:12 service is separate from the NAMs and 15:45:16 separate from commercial, customer service 15:45:20 does maintain a relationship with the 15:45:22 customers. And so that's the basis on which 15:45:24 this statement was made. 15:45:26	2 3 4 5 6 7 8	Mallinckrodt had, they were in charge of 15:47:12 wholesale distributors that Mallinckrodt 15:47:15 supplied drugs to, correct? 15:47:18  MR. O'CONNOR: Object to form. 15:47:20 THE WITNESS: Correct. 15:47:20 QUESTIONS BY MR. KO: 15:47:21 Q. And so the do you believe 15:47:22
2 3 4 5 6 7 8	A. It's a you know, it's just a 15:45:11  conglomeration of even though customer 15:45:12  service is separate from the NAMs and 15:45:16  separate from commercial, customer service 15:45:20  does maintain a relationship with the 15:45:22  customers. And so that's the basis on which 15:45:24  this statement was made. 15:45:26  Q. Well, how how was it any 15:45:28	2 3 4 5 6 7 8	Mallinckrodt had, they were in charge of 15:47:12 wholesale distributors that Mallinckrodt 15:47:15 supplied drugs to, correct? 15:47:18  MR. O'CONNOR: Object to form. 15:47:20  THE WITNESS: Correct. 15:47:20  QUESTIONS BY MR. KO: 15:47:21  Q. And so the do you believe 15:47:22 that a conflict of interest exists with 15:47:28
2 3 4 5 6 7 8 9	A. It's a you know, it's just a 15:45:11 conglomeration of even though customer 15:45:12 service is separate from the NAMs and 15:45:16 separate from commercial, customer service 15:45:20 does maintain a relationship with the 15:45:22 customers. And so that's the basis on which 15:45:24 this statement was made. 15:45:26 Q. Well, how how was it any 15:45:28 different how was the conflict of interest 15:45:34	2 3 4 5 6 7 8 9	Mallinckrodt had, they were in charge of 15:47:12 wholesale distributors that Mallinckrodt 15:47:15 supplied drugs to, correct? 15:47:18  MR. O'CONNOR: Object to form. 15:47:20  THE WITNESS: Correct. 15:47:20  QUESTIONS BY MR. KO: 15:47:21  Q. And so the do you believe 15:47:22 that a conflict of interest exists with 15:47:28 respect to a national account manager's 15:47:32
2 3 4 5 6 7 8 9 10	A. It's a you know, it's just a 15:45:11 conglomeration of even though customer 15:45:12 service is separate from the NAMs and 15:45:16 separate from commercial, customer service 15:45:20 does maintain a relationship with the 15:45:22 customers. And so that's the basis on which 15:45:24 this statement was made. 15:45:26 Q. Well, how how was it any 15:45:28 different how was the conflict of interest 15:45:34 that applies with respect to the customer 15:45:36	2 3 4 5 6 7 8 9 10	Mallinckrodt had, they were in charge of 15:47:12 wholesale distributors that Mallinckrodt 15:47:15 supplied drugs to, correct? 15:47:18  MR. O'CONNOR: Object to form. 15:47:20  THE WITNESS: Correct. 15:47:20  QUESTIONS BY MR. KO: 15:47:21  Q. And so the do you believe 15:47:22 that a conflict of interest exists with 15:47:28 respect to a national account manager's 15:47:32 involvement in the suspicious order 15:47:34
2 3 4 5 6 7 8 9 10 11	A. It's a you know, it's just a 15:45:11 conglomeration of even though customer 15:45:12 service is separate from the NAMs and 15:45:16 separate from commercial, customer service 15:45:20 does maintain a relationship with the 15:45:22 customers. And so that's the basis on which 15:45:24 this statement was made. 15:45:26 Q. Well, how how was it any 15:45:28 different how was the conflict of interest 15:45:34 that applies with respect to the customer 15:45:36 service group any different than a conflict 15:45:38	2 3 4 5 6 7 8 9 10 11	Mallinckrodt had, they were in charge of wholesale distributors that Mallinckrodt 15:47:15 supplied drugs to, correct? 15:47:18  MR. O'CONNOR: Object to form. 15:47:20  THE WITNESS: Correct. 15:47:20  QUESTIONS BY MR. KO: 15:47:21  Q. And so the do you believe 15:47:22 that a conflict of interest exists with 15:47:28 respect to a national account manager's 15:47:32 involvement in the suspicious order 15:47:34 monitoring program given that their 15:47:36
2 3 4 5 6 7 8 9 10 11 12 13	A. It's a you know, it's just a 15:45:11 conglomeration of even though customer 15:45:12 service is separate from the NAMs and 15:45:16 separate from commercial, customer service 15:45:20 does maintain a relationship with the 15:45:22 customers. And so that's the basis on which 15:45:24 this statement was made. 15:45:26 Q. Well, how how was it any 15:45:28 different how was the conflict of interest 15:45:34 that applies with respect to the customer 15:45:36 service group any different than a conflict 15:45:38 of interest that would apply with respect to 15:45:40	2 3 4 5 6 7 8 9 10 11 12 13	Mallinckrodt had, they were in charge of wholesale distributors that Mallinckrodt 15:47:15 supplied drugs to, correct? 15:47:18  MR. O'CONNOR: Object to form. 15:47:20  THE WITNESS: Correct. 15:47:20  QUESTIONS BY MR. KO: 15:47:21  Q. And so the do you believe 15:47:22 that a conflict of interest exists with 15:47:28 respect to a national account manager's 15:47:32 involvement in the suspicious order 15:47:34 monitoring program given that their 15:47:36 assuming this was true given that their 15:47:40
2 3 4 5 6 7 8 9 10 11 12 13	A. It's a you know, it's just a 15:45:11 conglomeration of even though customer 15:45:12 service is separate from the NAMs and 15:45:16 separate from commercial, customer service 15:45:20 does maintain a relationship with the 15:45:22 customers. And so that's the basis on which 15:45:24 this statement was made. 15:45:26 Q. Well, how how was it any 15:45:28 different how was the conflict of interest 15:45:34 that applies with respect to the customer 15:45:36 service group any different than a conflict 15:45:38 of interest that would apply with respect to 15:45:40 the national account managers? 15:45:43	2 3 4 5 6 7 8 9 10 11 12 13	Mallinckrodt had, they were in charge of wholesale distributors that Mallinckrodt 15:47:15 supplied drugs to, correct? 15:47:18  MR. O'CONNOR: Object to form. 15:47:20  THE WITNESS: Correct. 15:47:20  QUESTIONS BY MR. KO: 15:47:21  Q. And so the do you believe 15:47:22 that a conflict of interest exists with 15:47:28 respect to a national account manager's 15:47:32 involvement in the suspicious order 15:47:34 monitoring program given that their 15:47:36 assuming this was true given that their 15:47:40 primary form of compensation was the amount 15:47:44
2 3 4 5 6 7 8 9 10 11 12 13 14 15	A. It's a you know, it's just a 15:45:11 conglomeration of even though customer 15:45:12 service is separate from the NAMs and 15:45:16 separate from commercial, customer service 15:45:20 does maintain a relationship with the 15:45:22 customers. And so that's the basis on which 15:45:24 this statement was made. 15:45:26 Q. Well, how how was it any 15:45:28 different how was the conflict of interest 15:45:34 that applies with respect to the customer 15:45:36 service group any different than a conflict 15:45:38 of interest that would apply with respect to 15:45:40 the national account managers? 15:45:43 A. So customer service group 15:45:44	2 3 4 5 6 7 8 9 10 11 12 13 14	Mallinckrodt had, they were in charge of wholesale distributors that Mallinckrodt 15:47:15 supplied drugs to, correct? 15:47:18  MR. O'CONNOR: Object to form. 15:47:20  THE WITNESS: Correct. 15:47:20  QUESTIONS BY MR. KO: 15:47:21  Q. And so the do you believe 15:47:22 that a conflict of interest exists with 15:47:28 respect to a national account manager's 15:47:32 involvement in the suspicious order 15:47:34 monitoring program given that their 15:47:36 assuming this was true given that their 15:47:40 primary form of compensation was the amount 15:47:44 of pills they were able to sell 15:47:47
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. It's a you know, it's just a 15:45:11 conglomeration of even though customer 15:45:12 service is separate from the NAMs and 15:45:16 separate from commercial, customer service 15:45:20 does maintain a relationship with the 15:45:22 customers. And so that's the basis on which 15:45:24 this statement was made. 15:45:26 Q. Well, how how was it any 15:45:28 different how was the conflict of interest 15:45:34 that applies with respect to the customer 15:45:36 service group any different than a conflict 15:45:38 of interest that would apply with respect to 15:45:40 the national account managers? 15:45:43 A. So customer service group 15:45:44 maintained the relationship with the 15:45:51	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Mallinckrodt had, they were in charge of wholesale distributors that Mallinckrodt 15:47:15 supplied drugs to, correct? 15:47:18  MR. O'CONNOR: Object to form. 15:47:20  THE WITNESS: Correct. 15:47:20  QUESTIONS BY MR. KO: 15:47:21  Q. And so the do you believe 15:47:22 that a conflict of interest exists with 15:47:28 respect to a national account manager's 15:47:32 involvement in the suspicious order 15:47:34 monitoring program given that their 15:47:36 assuming this was true given that their 15:47:40 primary form of compensation was the amount 15:47:44 of pills they were able to sell 15:47:47  MR. O'CONNOR: Object to form. 15:47:49
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. It's a you know, it's just a 15:45:11 conglomeration of even though customer 15:45:12 service is separate from the NAMs and 15:45:16 separate from commercial, customer service 15:45:20 does maintain a relationship with the 15:45:22 customers. And so that's the basis on which 15:45:24 this statement was made. 15:45:26 Q. Well, how how was it any 15:45:28 different how was the conflict of interest 15:45:34 that applies with respect to the customer 15:45:36 service group any different than a conflict 15:45:38 of interest that would apply with respect to 15:45:40 the national account managers? 15:45:43 A. So customer service group 15:45:44 maintained the relationship with the 15:45:51 customer, as did the NAMs. 15:45:53	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Mallinckrodt had, they were in charge of wholesale distributors that Mallinckrodt 15:47:15 supplied drugs to, correct? 15:47:18  MR. O'CONNOR: Object to form. 15:47:20  THE WITNESS: Correct. 15:47:20  QUESTIONS BY MR. KO: 15:47:21  Q. And so the do you believe 15:47:22 that a conflict of interest exists with 15:47:28 respect to a national account manager's 15:47:32 involvement in the suspicious order 15:47:34 monitoring program given that their 15:47:36 assuming this was true given that their 15:47:40 primary form of compensation was the amount 15:47:44 of pills they were able to sell 15:47:47  MR. O'CONNOR: Object to form. 15:47:49 QUESTIONS BY MR. KO: 15:47:49
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. It's a you know, it's just a 15:45:11 conglomeration of even though customer service is separate from the NAMs and 15:45:16 separate from commercial, customer service 15:45:20 does maintain a relationship with the 15:45:22 customers. And so that's the basis on which 15:45:24 this statement was made. 15:45:26 Q. Well, how how was it any 15:45:28 different how was the conflict of interest 15:45:34 that applies with respect to the customer 15:45:36 service group any different than a conflict 15:45:38 of interest that would apply with respect to 15:45:40 the national account managers? 15:45:43 A. So customer service group 15:45:44 maintained the relationship with the 15:45:51 customer, as did the NAMs. 15:45:55	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Mallinckrodt had, they were in charge of wholesale distributors that Mallinckrodt 15:47:15 supplied drugs to, correct? 15:47:18  MR. O'CONNOR: Object to form. 15:47:20  THE WITNESS: Correct. 15:47:20  QUESTIONS BY MR. KO: 15:47:21  Q. And so the do you believe 15:47:22 that a conflict of interest exists with 15:47:28 respect to a national account manager's 15:47:32 involvement in the suspicious order 15:47:34 monitoring program given that their 15:47:36 assuming this was true given that their 15:47:40 primary form of compensation was the amount 15:47:44 of pills they were able to sell 15:47:47  MR. O'CONNOR: Object to form. 15:47:49  QUESTIONS BY MR. KO: 15:47:50
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. It's a you know, it's just a 15:45:11 conglomeration of even though customer 15:45:12 service is separate from the NAMs and 15:45:16 separate from commercial, customer service 15:45:20 does maintain a relationship with the 15:45:22 customers. And so that's the basis on which 15:45:24 this statement was made. 15:45:26 Q. Well, how how was it any 15:45:28 different how was the conflict of interest 15:45:34 that applies with respect to the customer 15:45:36 service group any different than a conflict 15:45:38 of interest that would apply with respect to 15:45:40 the national account managers? 15:45:43 A. So customer service group 15:45:44 maintained the relationship with the 15:45:51 customer, as did the NAMs. 15:45:53 Could you repeat that question, 15:45:55 please? I'm getting mixed up as I'm thinking 15:45:56	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Mallinckrodt had, they were in charge of wholesale distributors that Mallinckrodt 15:47:15 supplied drugs to, correct? 15:47:18  MR. O'CONNOR: Object to form. 15:47:20  THE WITNESS: Correct. 15:47:20  QUESTIONS BY MR. KO: 15:47:21  Q. And so the do you believe 15:47:22 that a conflict of interest exists with 15:47:28 respect to a national account manager's 15:47:32 involvement in the suspicious order 15:47:34 monitoring program given that their 15:47:36 assuming this was true given that their 15:47:40 primary form of compensation was the amount 15:47:44 of pills they were able to sell 15:47:47  MR. O'CONNOR: Object to form. 15:47:49  QUESTIONS BY MR. KO: 15:47:50 customer? 15:47:52
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. It's a you know, it's just a 15:45:11 conglomeration of even though customer 15:45:12 service is separate from the NAMs and 15:45:16 separate from commercial, customer service 15:45:20 does maintain a relationship with the 15:45:22 customers. And so that's the basis on which 15:45:24 this statement was made. 15:45:26 Q. Well, how how was it any 15:45:28 different how was the conflict of interest 15:45:34 that applies with respect to the customer 15:45:36 service group any different than a conflict 15:45:38 of interest that would apply with respect to 15:45:40 the national account managers? 15:45:43 A. So customer service group 15:45:44 maintained the relationship with the 15:45:51 customer, as did the NAMs. 15:45:55 please? I'm getting mixed up as I'm thinking 15:45:56 of my answer. I'm sorry. 15:46:01	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Mallinckrodt had, they were in charge of wholesale distributors that Mallinckrodt 15:47:15 supplied drugs to, correct? 15:47:18  MR. O'CONNOR: Object to form. 15:47:20  THE WITNESS: Correct. 15:47:20  QUESTIONS BY MR. KO: 15:47:21  Q. And so the do you believe 15:47:22 that a conflict of interest exists with 15:47:28 respect to a national account manager's 15:47:32 involvement in the suspicious order 15:47:34 monitoring program given that their 15:47:36 assuming this was true given that their 15:47:40 primary form of compensation was the amount 15:47:44 of pills they were able to sell 15:47:47  MR. O'CONNOR: Object to form. 15:47:49  QUESTIONS BY MR. KO: 15:47:50 customer? 15:47:52  MR. O'CONNOR: Objection. 15:47:52
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. It's a you know, it's just a 15:45:11 conglomeration of even though customer 15:45:12 service is separate from the NAMs and 15:45:16 separate from commercial, customer service 15:45:20 does maintain a relationship with the 15:45:22 customers. And so that's the basis on which 15:45:24 this statement was made. 15:45:26 Q. Well, how how was it any 15:45:28 different how was the conflict of interest 15:45:34 that applies with respect to the customer 15:45:36 service group any different than a conflict 15:45:38 of interest that would apply with respect to 15:45:40 the national account managers? 15:45:43 A. So customer service group 15:45:44 maintained the relationship with the 15:45:51 customer, as did the NAMs. 15:45:55 please? I'm getting mixed up as I'm thinking 15:45:56 of my answer. I'm sorry. 15:46:01 Q. Sure. 15:46:03	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Mallinckrodt had, they were in charge of wholesale distributors that Mallinckrodt 15:47:15 supplied drugs to, correct? 15:47:18  MR. O'CONNOR: Object to form. 15:47:20  THE WITNESS: Correct. 15:47:20  QUESTIONS BY MR. KO: 15:47:21  Q. And so the do you believe 15:47:22 that a conflict of interest exists with 15:47:28 respect to a national account manager's 15:47:32 involvement in the suspicious order 15:47:34 monitoring program given that their 15:47:36 assuming this was true given that their 15:47:40 primary form of compensation was the amount 15:47:44 of pills they were able to sell 15:47:47  MR. O'CONNOR: Object to form. 15:47:49  Q to a particular Mallinckrodt 15:47:50 customer? 15:47:52  MR. O'CONNOR: Objection. 15:47:52  THE WITNESS: No, I do not. 15:47:53
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. It's a you know, it's just a 15:45:11 conglomeration of even though customer 15:45:12 service is separate from the NAMs and 15:45:16 separate from commercial, customer service 15:45:20 does maintain a relationship with the 15:45:22 customers. And so that's the basis on which 15:45:24 this statement was made. 15:45:26 Q. Well, how how was it any 15:45:28 different how was the conflict of interest 15:45:34 that applies with respect to the customer 15:45:36 service group any different than a conflict 15:45:38 of interest that would apply with respect to 15:45:40 the national account managers? 15:45:43 A. So customer service group 15:45:44 maintained the relationship with the 15:45:51 customer, as did the NAMs. 15:45:53 Could you repeat that question, 15:45:55 please? I'm getting mixed up as I'm thinking 15:45:56 of my answer. I'm sorry. 15:46:01 Q. Sure. 15:46:03 How was the conflict of 15:46:03	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Mallinckrodt had, they were in charge of wholesale distributors that Mallinckrodt 15:47:15 supplied drugs to, correct? 15:47:18  MR. O'CONNOR: Object to form. 15:47:20  THE WITNESS: Correct. 15:47:20  QUESTIONS BY MR. KO: 15:47:21  Q. And so the do you believe 15:47:22 that a conflict of interest exists with respect to a national account manager's 15:47:32 involvement in the suspicious order 15:47:34 monitoring program given that their 15:47:36 assuming this was true given that their 15:47:40 primary form of compensation was the amount 15:47:44 of pills they were able to sell 15:47:47  MR. O'CONNOR: Object to form. 15:47:49  QUESTIONS BY MR. KO: 15:47:50 customer? 15:47:52  MR. O'CONNOR: Objection. 15:47:53  QUESTIONS BY MR. KO: 15:47:53  QUESTIONS BY MR. KO: 15:47:53  QUESTIONS BY MR. KO: 15:47:53
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. It's a you know, it's just a 15:45:11 conglomeration of even though customer 15:45:12 service is separate from the NAMs and 15:45:16 separate from commercial, customer service 15:45:20 does maintain a relationship with the 15:45:22 customers. And so that's the basis on which 15:45:24 this statement was made. 15:45:26 Q. Well, how how was it any 15:45:28 different how was the conflict of interest 15:45:34 that applies with respect to the customer 15:45:36 service group any different than a conflict 15:45:38 of interest that would apply with respect to 15:45:40 the national account managers? 15:45:43 A. So customer service group 15:45:44 maintained the relationship with the 15:45:51 customer, as did the NAMs. 15:45:53 Could you repeat that question, 15:45:55 please? I'm getting mixed up as I'm thinking 15:45:56 of my answer. I'm sorry. 15:46:01 Q. Sure. 15:46:03 How was the conflict of 15:46:03	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Mallinckrodt had, they were in charge of wholesale distributors that Mallinckrodt 15:47:15 supplied drugs to, correct? 15:47:18  MR. O'CONNOR: Object to form. 15:47:20  THE WITNESS: Correct. 15:47:20  QUESTIONS BY MR. KO: 15:47:21  Q. And so the do you believe 15:47:22 that a conflict of interest exists with 15:47:28 respect to a national account manager's 15:47:32 involvement in the suspicious order 15:47:34 monitoring program given that their 15:47:36 assuming this was true given that their 15:47:40 primary form of compensation was the amount 15:47:44 of pills they were able to sell 15:47:47  MR. O'CONNOR: Object to form. 15:47:49  QUESTIONS BY MR. KO: 15:47:50 customer? 15:47:52  MR. O'CONNOR: Objection. 15:47:53  QUESTIONS BY MR. KO: 15:47:53  QUESTIONS BY MR. KO: 15:47:54

Here's -		Page 338		Page 340
2	1	_	1	- 1
3				-
4 what's going to be - what has previously   15-48-11   5 been marked - you can set that aside -   15-48-12   5 what's previously been marked as Exhibit   44   15-48-17   6 review, yes, that's correct.   15-50-03   7   0 what's previously been marked as Exhibit   44   15-48-17   6 review, yes, that's correct.   15-50-03   7   0 what's previously been marked as Exhibit   44   15-48-17   6 review, yes, that's correct.   15-50-03   7   0 what's previously been marked as Exhibit   44   15-48-17   6 review, yes, that's correct.   15-50-03   15-50-04   15-50-		÷	3	
5   been marked you can set that aside   15-48-12     6   what's previously been marked as Exhibit 44   15-148-17     7   of the Stewart deposition.   15-48-19     8   MR. KO. And for the record,   15-48-19     9   it's dated or sorry, that's ends   15-48-22     10   in Bates 3028219.   15-48-22     12   Q. And before turning to the text   15-48-32     13   of this document, Mr as we discussed   15-48-33     14   before, Mr. Borelli is a national account   15-48-40     15   A. Yes.   15-48-47     16   A. Yes.   15-48-47     17   Q. Okay, And he was a national   15-48-41     19   distributors that Mallinckrodt shipped pills   15-48-58     20   O. And as we discussed before,   15-48-58     21   Q. And as we discussed before,   15-48-58     22   A. Yes.   15-48-58     3   2010 as a result of suspicious order by the DEA in   15-49-35     3   Q. And as we discussed before,   15-49-36     4   A. Yes.   15-49-24     5   Q. Okay, And Ms. Stewart   15-49-24     6   A. Yes.   15-49-24     16   A. Yes.   15-49-24     17   A. Yes.   15-49-24     18   Courser   15-49-24     19   Course   15-49-24     19   Course   15-49-24     10   A. Yes.   15-49-24     11   Course   15-49-24     12   Q. And as we discussed before   15-49-24     13   account manager in charge of the Sunrise   15-49-24     15   A. Yes.   15-49-24     16   A. Yes.   15-49-24     17   A. Yes.   15-49-24     18   A. Yes.   15-49-24     19   Course   15-49-24     19   Course   15-49-24     10   Course   15-49-24     11   Course   15-49-24     12   Course   15-49-24     13   importance is high.   15-49-23     15   Course   15-49-24     16   Course   15-49-24     17   Course   15-49-24     18   Course   15-49-24     19   Course   15-49-24     19   Course   15-49-24     10   Course   15-49-24     11   Course   15-49-24     12   Course   15-49-24     13   Course   15-49-24     14   Course   15-49-24     15   Course   15-49-24     15   Course   15-49-24     16   Course   15-49-24     17   Course   15-49-24     18   Course   15-49-24     19   Course			4	
6 what's previously been marked as Exhibit 4 15-48:17   7 of the Stewart deposition.	5		5	•
7    Of the Stewart deposition	6	-	6	-
8	7	•	7	-
9   it's dated — or sorry, that's — ends   15-48:22   10   in Bares 3028219.   15-48:25   10   relayed that information to you?   15:50:15   15:50:15   12   Q. And before turning to the text   15-48:32   13   Q. M. F. Borelli is a national account   15-48:40   15-48:40   16   A. Yes.   15-48:40   16   A. Yes.   15-48:41   18   account manager in charge of certain   15-48:45   18   account manager in charge of certain   15-48:45   19   account ma	8	•	8	_
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15   QUESTIONS BY MR. KO:   15:48:32   13   QUESTIONS BY MR. KO:   15:50:15   15:50:16   15:50:16   15:50:16   15:50:17   16:50:17   16:50:17   16:50:18   16:50:17   16:50:18   16:50:17   16:50:18	10	• •	10	·
12	11		11	•
13   Of this document, Mr as we discussed   15:48:33   14   before, Mr. Borelli is a national account   15:48:34   15   manager, correct?   15:48:40   15   48:41   17   Q. Okay. And he was a national   15:48:44   17   Q. Okay. And he was a national   15:48:44   18   account manager in charge of certain   15:48:45   19   to, correct?   15:48:47   19   to, correct?   15:48:48   19   to, correct?   15:48:48   19   to, correct?   15:48:48   19   to, correct?   15:48:57   15:48:58   15:48:58   15:48:58   15:48:58   15:48:58   15:48:58   15:48:58   16   A. Yes.   15:48:58   15:48:58   15   A. Yes.   15:48:58   15   A. Yes.   15:48:58   15   A. Yes.   15:48:59   15   A. Yes.   15:49:402   16   A. Yes.   15:49:14   17   A. Yes.   15:49:13   17   A. Yes.   15:49:13   18   account?   15:49:14   19   She says quote, "FIT, the   15:49:31   19   She says quote, "FIT, the   15:49:31   19   She says quote, "FIT, the   15:49:34   19   She says quote, "FIT, the   15:49:42   19   She says quote, "FIT, the   15:49:42   19   Did I read that correctly?   15:49:44   15:49:45   19   Did I read that correctly?   15:49:46   15:49:45   19   Did I read that correctly?   15:49:46   15:49:46   15:50:28   16:10   16	12		12	
14   before, Mr. Borelli is a national account   15:48:37   15   before, Mr. Borelli is a national account manager, correct?   15:48:40   16   A. Yes.   15:48:41   17   Q. Okay. And the date of this   15:50:18   15:48:41   17   Q. Okay. And the was a national   15:48:41   17   Q. This is simultaneous to when   15:50:21   18   account manager in charge of certain   15:48:44   18   you are first starting to revamp your the   15:50:26   15:50:21   18   you are first starting to revamp your the   15:50:21   15:50:21   18   you are first starting to revamp your the   15:50:26   15:48:48   18   you are first starting to revamp your the   15:50:26   15:48:48   18   you are first starting to revamp your the   15:50:26   18   you are first starting to revamp your the   15:50:26   18   you are first starting to revamp your the   15:50:26   18   you are first starting to revamp your the   15:50:26   18   you are first starting to revamp your the   15:50:26   18   you are first starting to revamp your the   15:50:26   18   you are first starting to revamp your the   15:50:26   18   you are first starting to revamp your the   15:50:26   18   you are first starting to revamp your the   15:50:26   18   you are first starting to revamp your the   15:50:26   18   you are first starting to revamp your the   15:50:26   18   you are first starting to revamp your the   15:50:26   18   you are first starting to revamp your the   15:50:26   18   you are first starting to revamp your the   15:50:26   18   you are first starting to revamp your the   15:50:26   18   you are first starting to revamp your the   15:50:32   20   20   A. Yes.   15:48:48   21   A. Yes.   15:48:48   22   22   20   A. Yes.   15:50:32   23   24   24   24   25   24   25   25   26   26   27   27   27   28   28   28   28   28	13		13	
15 manager, correct?	14		14	-
16	15		15	- ·
17    Q. Okay. And he was a national   15:48:44   18   29   20   20   20   20   20   20   20		_		-
18   account manager in charge of certain   15:48:44   15   15:48:45   15   16:48:45   15:48:45   15:48:47   20   16:48:47   20   17:48:48   21   20   20   20   20   20   20   20				
19   distributors that Mallinckrodt shipped pills   15:48:45   20   15:48:47   21   22   23   24   24   25   26   26   26   26   27   27   27   28   28   29   28   29   28   29   29		- · · · · · · · · · · · · · · · · · · ·		
20				, , ,
21	20		20	* · ·
22   Q. And the context of this e-mail, 15:48:49   22   you learned from Ms. Stewart that all the 15:50:34     23   or the subject, is Sunrise Wholesale, 15:48:57   23   customer service reps all state that 15:50:36     24   correct?	21		21	O. And you learned Mr. Borelli 15:50:32
23 or the subject, is Sunrise Wholesale, 15:48:56 24 correct? 15:48:57 25 A. Yes. 15:48:58  25 Page 339 1 Q. And as we discussed before, 15:48:58 2 Sunrise had its license revoked by the DEA in 15:48:59 3 2010 as a result of suspicious orders they 15:49:05 5 MR. O'CONNOR: Object to form. 15:49:05 6 THE WITNESS: Yes. 15:49:08 8 Q. Okay. And Sunrise was a 15:49:09 9 customer, again, of Mallinckrodt? 15:49:11 10 A. Yes. 15:49:14 11 Q. And is it your understanding 15:49:14 12 that Mr. Borelli was in charge of the Sunrise 15:49:17 13 account? 15:49:24 14 A. Yes. 15:49:24 15 Q. Okay. And Ms. Stewart 15:49:24 16 indicates some language to you about 15:49:31 17 Mr. Borelli and indicates that the e-mail 15:49:31 18 importance is high. 15:49:34 29 will tell them anything they want 15:50:36 20 utstomer service reps all state that 15:50:36 21 Mr. Borelli will tell them anything they want 15:50:38 22 to to bear just so he can get the sale, correct? 15:50:40 24 Mr. Borelli will tell them anything they want 15:50:38 25 to hear just so he can get the sale, correct? 15:50:40 26 in the e-mail, yes, sir. 15:50:44 27 in the e-mail, yes, sir. 15:50:44 28 in the e-mail, yes, sir. 15:50:44 29 in the e-mail, yes, sir. 15:50:44 20 (Nay. So given that 15:50:46 21 in the e-mail, yes, sir. 15:50:44 22 in the e-mail, yes, sir. 15:50:44 23 in the e-mail, yes, sir. 15:50:44 24 in the e-mail, yes, sir. 15:50:44 25 in the e-mail, yes, sir. 15:50:44 26 in the e-mail, yes, sir. 15:50:44 27 in the e-mail, yes, sir. 15:50:44 28 in the e-mail, yes, sir. 15:50:44 29 in the e-mail, yes, sir. 15:50:44 20 (Nay. So given that 15:50:50:44 21 in the e-mail, yes, sir. 15:50:44 22 in the e-mail, yes, sir. 15:50:44 23 in the e-mail, yes, sir. 15:50:44 24 in the e-mail, yes, sir. 15:50:44 25 in the e-mail, yes, sir. 15:50:44 26 in the e-mail, yes, sir. 15:50:44 27 in the e-mail, yes, sir. 15:50:44 28 in the e-mail, yes, sir. 15:50:44 29 in the e-mail, yes, sir. 15:50:44 20 (Nay. So given that 15:50:45 20 (Nay. So given that 15:50:49 21 in the e-mail, yes, sir	22	O. And the context of this e-mail. 15:48:49	22	· · · · · · · · · · · · · · · · · · ·
24   correct?   15:48:57   25   A. Yes.   15:48:58   25   to hear just so he can get the sale, correct?   15:50:38   25   to hear just so he can get the sale, correct?   15:50:40	23		23	•
Page 339   Page 341	24	•	24	•
Page 339  1 Q. And as we discussed before, 15:48:58 2 Sunrise had its license revoked by the DEA in 15:48:59 3 2010 as a result of suspicious orders they 15:49:02 4 were shipping to Florida, correct? 15:49:05 5 MR. O'CONNOR: Object to form. 15:49:07 6 THE WITNESS: Yes. 15:49:08 7 QUESTIONS BY MR. KO: 15:49:09 9 customer, again, of Mallinckrodt? 15:49:11 10 A. Yes. 15:49:13 11 Q. And is it your understanding 15:49:14 12 Q. And is it your understanding 15:49:14 13 account? 15:49:24 14 A. Yes. 15:49:24 15 Q. Okay. And Ms. Stewart 15:49:24 16 indicates some language to you about 15:49:27 17 Mr. Borelli and indicates that the e-mail 15:49:31 18 importance is high. 15:49:34 19 She says quote, "FYI, the 15:49:35 20 it it lell them anything they want to hear 15:49:40 21 just so he can get the sale," end quote. 15:49:46 22 A. You did. 15:49:46 23 A. Uh-huh. 15:51:28 24 Q. So I take it that's printed 15:50:54 1 A. Yes, I see that that's printed 15:50:44 10 in the e-mail, yes, sir. 15:50:44 11 ha. Yes, I see that that's printed 15:50:44 11 in the e-mail, yes, sir. 15:50:47 12 in the e-mail, yes, sir. 15:50:47 13 Q. Okay. So given that 15:50:47 14 Mr. Borelli has an incentive to obtain as 15:50:57 15 many sales as possible, is it still your 15:50:54 16 testimony that you believe it's not a 15:50:57 16 conflict of interest for him to be involved 15:50:58 18 many sales as possible, is it still your 15:50:54 19 MR. O'CONNOR: Object to form. 15:49:09 18 in the e-mail, yes, sir. 15:50:47 19 Mr. Borelli has an incentive to obtain as 15:50:57 19 many sales as possible, is it still your 15:50:51 10 Mr. Borelli has an incentive to obtain as 15:50:57 10 Mr. Borelli has an incentive to obtain as 15:50:57 11 on the e-mail, yes, sir. 15:50:49 12 in the e-mail, yes, sir. 15:50:49 13 Q. Okay. So given that 15:50:49 15:49:07 15:49:08 16 many sales as possible, is it still your 15:50:58 16 testimony that you believe it's not a 15:50:51 18 many sales as possible, is it still your 15:50:51 19 many sales as possible, is it still your 15:50:58				
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2 Sunrise had its license revoked by the DEA in 15:48:59 3 2010 as a result of suspicious orders they 15:49:02 4 were shipping to Florida, correct? 15:49:05 5 MR. O'CONNOR: Object to form. 15:49:07 6 THE WITNESS: Yes. 15:49:08 7 QUESTIONS BY MR. KO: 15:49:09 8 Q. Okay. And Sunrise was a 15:49:09 9 customer, again, of Mallinckrodt? 15:49:11 10 A. Yes. 15:49:13 11 Q. And is it your understanding 15:49:14 12 that Mr. Borelli was in charge of the Sunrise 15:49:14 13 account? 15:49:24 14 A. Yes. 15:49:24 15 Q. Okay. And Ms. Stewart 15:49:24 16 indicates some language to you about 15:49:31 18 importance is high. 15:49:34 19 She says quote, "FYI, the 15:49:35 20 customer service reps all state that Victor 15:49:35 21 will tell them anything they want to hear 15:49:40 22 just so he can get the sale," end quote. 15:49:46 23 Did I read that correctly? 15:49:46 24 A. You did. 15:49:46 25 Usunda a result of suspicious orders they 15:49:09 3 Q. Okay. So given that 15:50:47 4 Mr. Borelli has an incentive to obtain as 15:50:51 5 many sales as possible, is it still your 15:50:54 testimony that you believe it's not a 15:50:55 10 many sales as possible, is it still your 15:50:50 115:49:09 9 MR. O'CONNOR: Object to form. 15:51:00 115:49:10 9 MR. O'CONNOR: Object to form. 15:51:00 115:49:11 12 Q. By the way, how many times did 15:51:05 12 Q. Well, you had previously we 15:51:10 13 account? 15:49:24 14 A. I don't know. 15:51:10 15:49:10 15:49:27 16 Q. Well, you had previously we 15:51:16 16 Ad previously discussed an e-mail in which 15:51:28 17 A. Okay. 15:51:28 18 Did I read that correctly? 15:49:46 20 Customer service reps all state that Victor 15:49:49 21 A. You did. 15:49:46 22 Q correct? 15:51:28 23 Did I read that correctly? 15:49:46 24 Q. So I take it that Mr. Borelli 15:51:29				
3 2010 as a result of suspicious orders they were shipping to Florida, correct?         15:49:05         3         Q. Okay. So given that         15:50:47           4 were shipping to Florida, correct?         15:49:05         4         Mr. Borelli has an incentive to obtain as         15:50:51           5 MR. O'CONNOR: Object to form.         15:49:08         6         THE WITNESS: Yes.         15:49:09         6         testimony that you believe it's not a         15:50:57           7 QUESTIONS BY MR. KO:         15:49:09         8         Q. Okay. And Sunrise was a         15:49:09         8         in the evaluation of a peculiar order?         15:51:00           9 customer, again, of Mallinckrodt?         15:49:11         9         MR. O'CONNOR: Object to form.         15:51:02           10 A. Yes.         15:49:13         10         THE WITNESS: Yes. Yes.         15:51:03           12 that Mr. Borelli was in charge of the Sunrise         15:49:14         12         Q. By the way, how many times did         15:51:03           12 that Mr. Borelli was in charge of the Sunrise         15:49:24         13         Mr. Borelli confirm that an order was         15:51:05           14 A. Yes.         15:49:24         13         A. I don't know.         15:51:10           15 diactes some language to you about importance is high.         15:49:35         15:49:35		_		
4 were shipping to Florida, correct?         15:49:05         4 Mr. Borelli has an incentive to obtain as 15:50:51           5 MR. O'CONNOR: Object to form. 15:49:07         5 MR. O'CONNOR: Object to form. 15:49:08         15:49:08         6 testimony that you believe it's not a 15:50:57           7 QUESTIONS BY MR. KO: 15:49:09         15:49:09         7 conflict of interest for him to be involved 15:50:58         15:50:58           8 Q. Okay. And Sunrise was a 15:49:09         15:49:11         9 MR. O'CONNOR: Object to form. 15:51:00           10 A. Yes. 15:49:13         10 THE WITNESS: Yes. Yes. 15:51:03           11 Q. And is it your understanding 15:49:14         10 THE WITNESS: Yes. Yes. 15:51:03           12 that Mr. Borelli was in charge of the Sunrise 15:49:14         12 Q. By the way, how many times did 15:51:04           13 account? 15:49:24         13 Mr. Borelli confirm that an order was 15:51:05           15 Q. Okay. And Ms. Stewart 15:49:24         14 Mr. Borelli confirm that an order was 15:51:10           16 indicates some language to you about 15:49:27         15:49:24         16 Q. Well, you had previously we 15:51:16           17 Mr. Borelli and indicates that the e-mail 15:49:31         18 you told Ms. Spaulding that no orders rose to 15:51:18           18 importance is high. 15:49:34         15:49:34         20 (ustomer service reps all state that Victor 15:49:42         21 A. Okay. 15:51:27           20 customer service reps all state that Victor 15:49:42 <td< td=""><td></td><td>Q. And as we discussed before, 15:48:58</td><td></td><td>A. Yes, I see that that's printed 15:50:44</td></td<>		Q. And as we discussed before, 15:48:58		A. Yes, I see that that's printed 15:50:44
5         MR. O'CONNOR: Object to form.         15:49:08         5         many sales as possible, is it still your         15:50:54           6         THE WITNESS: Yes.         15:49:08         6         testimony that you believe it's not a         15:50:57           7         QUESTIONS BY MR. KO:         15:49:09         8         Q. Okay. And Sunrise was a         15:49:09         8         in the evaluation of a peculiar order?         15:51:00           9         customer, again, of Mallinckrodt?         15:49:11         9         MR. O'CONNOR: Object to form.         15:51:02           10         A. Yes.         15:49:13         10         THE WITNESS: Yes. Yes.         15:51:03           11         Q. And is it your understanding         15:49:14         11         QUESTIONS BY MR. KO:         15:51:03           12         that Mr. Borelli was in charge of the Sunrise         15:49:14         12         Q. By the way, how many times did         15:51:03           14         A. Yes.         15:49:24         14         A. I don't know.         15:51:10           15         Q. Okay. And Ms. Stewart         15:49:34         15         A. I don't know.         15:51:16           16         indicates some language to you about         15:49:34         18         you told Ms. Spaulding that no orde	2	Q. And as we discussed before, 15:48:58 Sunrise had its license revoked by the DEA in 15:48:59	2	A. Yes, I see that that's printed 15:50:44 in the e-mail, yes, sir. 15:50:46
6         THE WITNESS: Yes.         15:49:08         6         testimony that you believe it's not a         15:50:57           7         QUESTIONS BY MR. KO:         15:49:09         8         Q. Okay. And Sunrise was a         15:49:09         8         in the evaluation of a peculiar order?         15:51:00           9         customer, again, of Mallinckrodt?         15:49:11         9         MR. O'CONNOR: Object to form.         15:51:03           11         Q. And is it your understanding         15:49:14         11         QUESTIONS BY MR. KO:         15:51:03           12         that Mr. Borelli was in charge of the Sunrise         15:49:14         12         Q. By the way, how many times did         15:51:03           14         A. Yes.         15:49:24         13         Mr. Borelli confirm that an order was         15:51:08           15         Q. Okay. And Ms. Stewart         15:49:24         14         A. I don't know.         15:51:10           16         indicates some language to you about         15:49:34         15         A. I don't know.         15:51:16           17         Mr. Borelli and indicates that the e-mail         15:49:34         18         you told Ms. Spaulding that no orders rose to         15:51:18           18         importance is high.         15:49:34         20	2 3	Q. And as we discussed before, 15:48:58  Sunrise had its license revoked by the DEA in 15:48:59  2010 as a result of suspicious orders they 15:49:02	2 3	A. Yes, I see that that's printed 15:50:44 in the e-mail, yes, sir. 15:50:46 Q. Okay. So given that 15:50:47
7 QUESTIONS BY MR. KO:         15:49:09         7 conflict of interest for him to be involved         15:50:58           8 Q. Okay. And Sunrise was a Uside of customer, again, of Mallinckrodt?         15:49:09         8 in the evaluation of a peculiar order?         15:51:00           10 A. Yes.         15:49:13         10 THE WITNESS: Yes. Yes.         15:51:03           11 Q. And is it your understanding that Mr. Borelli was in charge of the Sunrise 15:49:14         15:49:14         11 QUESTIONS BY MR. KO:         15:51:03           12 that Mr. Borelli was in charge of the Sunrise 15:49:14         15:49:14         12 Q. By the way, how many times did actually suspicious?         15:51:08           14 A. Yes.         15:49:24         13 Mr. Borelli confirm that an order was 15:51:08         15:51:08           15 Q. Okay. And Ms. Stewart indicates some language to you about indicates ind	2 3 4	Q. And as we discussed before, 15:48:58  Sunrise had its license revoked by the DEA in 15:48:59  2010 as a result of suspicious orders they 15:49:02  were shipping to Florida, correct? 15:49:05	2 3 4	A. Yes, I see that that's printed 15:50:44 in the e-mail, yes, sir. 15:50:46 Q. Okay. So given that 15:50:47 Mr. Borelli has an incentive to obtain as 15:50:51
8         Q. Okay. And Sunrise was a customer, again, of Mallinckrodt?         15:49:11         9         MR. O'CONNOR: Object to form. 15:51:02           10         A. Yes. 15:49:13         10         THE WITNESS: Yes. Yes. 15:51:03           11         Q. And is it your understanding 15:49:14         11         QUESTIONS BY MR. KO: 15:51:03           12         that Mr. Borelli was in charge of the Sunrise 15:49:17         12         Q. By the way, how many times did 15:51:04           13         account? 15:49:24         13         Mr. Borelli confirm that an order was 15:51:05           14         A. Yes. 15:49:24         14         actually suspicious? 15:51:10           15         Q. Okay. And Ms. Stewart 15:49:24         15         A. I don't know. 15:51:10           16         indicates some language to you about 15:49:27         15:49:31         16         Q. Well, you had previously we 15:51:16           17         Mr. Borelli and indicates that the e-mail 15:49:31         18         you told Ms. Spaulding that no orders rose to 15:51:18           18         importance is high. 15:49:35         19         the level of suspicious in the 2008 to 2000 15:51:24           20         customer service reps all state that Victor 15:49:38         20         (sic) time period 15:51:28           21         Will tell them anything they want to hear 15:49:44         21	2 3 4 5	Q. And as we discussed before, 15:48:58  Sunrise had its license revoked by the DEA in 15:48:59  2010 as a result of suspicious orders they 15:49:02  were shipping to Florida, correct? 15:49:05  MR. O'CONNOR: Object to form. 15:49:07	2 3 4 5	A. Yes, I see that that's printed 15:50:44 in the e-mail, yes, sir. 15:50:46 Q. Okay. So given that 15:50:47 Mr. Borelli has an incentive to obtain as 15:50:51 many sales as possible, is it still your 15:50:54
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23 Did I read that correctly? 15:49:46 23 A. Uh-huh. 15:51:28 24 A. You did. 15:49:46 24 Q. So I take it that Mr. Borelli 15:51:29	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. And as we discussed before, 15:48:58  Sunrise had its license revoked by the DEA in 15:48:59  2010 as a result of suspicious orders they 15:49:02  were shipping to Florida, correct? 15:49:05  MR. O'CONNOR: Object to form. 15:49:07  THE WITNESS: Yes. 15:49:08  QUESTIONS BY MR. KO: 15:49:09  Q. Okay. And Sunrise was a 15:49:09  customer, again, of Mallinckrodt? 15:49:11  A. Yes. 15:49:13  Q. And is it your understanding 15:49:14  that Mr. Borelli was in charge of the Sunrise 15:49:17  account? 15:49:24  A. Yes. 15:49:24  Q. Okay. And Ms. Stewart 15:49:24  indicates some language to you about 15:49:31  importance is high. 15:49:34  She says quote, "FYI, the 15:49:35  customer service reps all state that Victor 15:49:38	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. Yes, I see that that's printed 15:50:44 in the e-mail, yes, sir. 15:50:46 Q. Okay. So given that 15:50:47 Mr. Borelli has an incentive to obtain as 15:50:51 many sales as possible, is it still your 15:50:54 testimony that you believe it's not a 15:50:57 conflict of interest for him to be involved 15:50:58 in the evaluation of a peculiar order? 15:51:00 MR. O'CONNOR: Object to form. 15:51:02 THE WITNESS: Yes. Yes. 15:51:03 QUESTIONS BY MR. KO: 15:51:03 Q. By the way, how many times did 15:51:04 Mr. Borelli confirm that an order was 15:51:05 actually suspicious? 15:51:10 Q. Well, you had previously we 15:51:16 had previously discussed an e-mail in which 15:51:18 you told Ms. Spaulding that no orders rose to 15:51:19 the level of suspicious in the 2008 to 2000 15:51:24 {sic} time period 15:51:26
24 A. You did. 15:49:46 24 Q. So I take it that Mr. Borelli 15:51:29	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. And as we discussed before, 15:48:58  Sunrise had its license revoked by the DEA in 15:48:59  2010 as a result of suspicious orders they 15:49:02  were shipping to Florida, correct? 15:49:05  MR. O'CONNOR: Object to form. 15:49:07  THE WITNESS: Yes. 15:49:08  QUESTIONS BY MR. KO: 15:49:09  Q. Okay. And Sunrise was a 15:49:09  customer, again, of Mallinckrodt? 15:49:11  A. Yes. 15:49:13  Q. And is it your understanding 15:49:14  that Mr. Borelli was in charge of the Sunrise 15:49:17  account? 15:49:24  A. Yes. 15:49:24  Q. Okay. And Ms. Stewart 15:49:24  indicates some language to you about 15:49:31  importance is high. 15:49:31  She says quote, "FYI, the 15:49:35  customer service reps all state that Victor 15:49:38  will tell them anything they want to hear 15:49:41	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Yes, I see that that's printed 15:50:44 in the e-mail, yes, sir. 15:50:46 Q. Okay. So given that 15:50:47 Mr. Borelli has an incentive to obtain as 15:50:51 many sales as possible, is it still your 15:50:54 testimony that you believe it's not a 15:50:57 conflict of interest for him to be involved 15:50:58 in the evaluation of a peculiar order? 15:51:00 MR. O'CONNOR: Object to form. 15:51:02 THE WITNESS: Yes. Yes. 15:51:03 QUESTIONS BY MR. KO: 15:51:03 Q. By the way, how many times did 15:51:04 Mr. Borelli confirm that an order was 15:51:05 actually suspicious? 15:51:10 Q. Well, you had previously we 15:51:16 had previously discussed an e-mail in which 15:51:18 you told Ms. Spaulding that no orders rose to 15:51:19 the level of suspicious in the 2008 to 2000 15:51:24 {sic} time period 15:51:26 A. Okay. 15:51:27
	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. And as we discussed before, 15:48:58  Sunrise had its license revoked by the DEA in 15:48:59  2010 as a result of suspicious orders they 15:49:02  were shipping to Florida, correct? 15:49:05  MR. O'CONNOR: Object to form. 15:49:07  THE WITNESS: Yes. 15:49:08  QUESTIONS BY MR. KO: 15:49:09  Q. Okay. And Sunrise was a 15:49:09  customer, again, of Mallinckrodt? 15:49:11  A. Yes. 15:49:13  Q. And is it your understanding 15:49:14  that Mr. Borelli was in charge of the Sunrise 15:49:17  account? 15:49:24  A. Yes. 15:49:24  Q. Okay. And Ms. Stewart 15:49:24  indicates some language to you about 15:49:31  importance is high. 15:49:31  importance is high. 15:49:35  customer service reps all state that Victor 15:49:38  will tell them anything they want to hear 15:49:42	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Yes, I see that that's printed 15:50:44 in the e-mail, yes, sir. 15:50:46 Q. Okay. So given that 15:50:47 Mr. Borelli has an incentive to obtain as 15:50:51 many sales as possible, is it still your 15:50:54 testimony that you believe it's not a 15:50:57 conflict of interest for him to be involved 15:50:58 in the evaluation of a peculiar order? 15:51:00 MR. O'CONNOR: Object to form. 15:51:02 THE WITNESS: Yes. Yes. 15:51:03 QUESTIONS BY MR. KO: 15:51:03 Q. By the way, how many times did 15:51:04 Mr. Borelli confirm that an order was 15:51:05 actually suspicious? 15:51:08 A. I don't know. 15:51:10 Q. Well, you had previously we 15:51:16 had previously discussed an e-mail in which 15:51:18 you told Ms. Spaulding that no orders rose to 15:51:19 the level of suspicious in the 2008 to 2000 15:51:24 {sic} time period 15:51:26 A. Okay. 15:51:27 Q correct? 15:51:28
125 U. Okay And Mr. Rorelli had $15.49.47$ 125 never ever identified a neculiar order as $15.51.33$	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. And as we discussed before, 15:48:58  Sunrise had its license revoked by the DEA in 15:48:59  2010 as a result of suspicious orders they 15:49:02  were shipping to Florida, correct? 15:49:05  MR. O'CONNOR: Object to form. 15:49:07  THE WITNESS: Yes. 15:49:08  QUESTIONS BY MR. KO: 15:49:09  Q. Okay. And Sunrise was a 15:49:09  customer, again, of Mallinckrodt? 15:49:11  A. Yes. 15:49:13  Q. And is it your understanding 15:49:14  that Mr. Borelli was in charge of the Sunrise 15:49:17  account? 15:49:24  A. Yes. 15:49:24  Q. Okay. And Ms. Stewart 15:49:24  indicates some language to you about 15:49:31  importance is high. 15:49:31  importance is high. 15:49:34  She says quote, "FYI, the 15:49:35  customer service reps all state that Victor 15:49:38  will tell them anything they want to hear 15:49:41  just so he can get the sale," end quote. 15:49:42  Did I read that correctly? 15:49:46	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Yes, I see that that's printed 15:50:44 in the e-mail, yes, sir. 15:50:46 Q. Okay. So given that 15:50:47 Mr. Borelli has an incentive to obtain as 15:50:51 many sales as possible, is it still your 15:50:54 testimony that you believe it's not a 15:50:57 conflict of interest for him to be involved 15:50:58 in the evaluation of a peculiar order? 15:51:00 MR. O'CONNOR: Object to form. 15:51:02 THE WITNESS: Yes. Yes. 15:51:03 QUESTIONS BY MR. KO: 15:51:03 Q. By the way, how many times did 15:51:04 Mr. Borelli confirm that an order was 15:51:05 actually suspicious? 15:51:08 A. I don't know. 15:51:10 Q. Well, you had previously we 15:51:16 had previously discussed an e-mail in which 15:51:18 you told Ms. Spaulding that no orders rose to 15:51:19 the level of suspicious in the 2008 to 2000 15:51:24 {sic} time period 15:51:26 A. Okay. 15:51:28 A. Uh-huh. 15:51:28
25 Q. Okay. And Mr. Botem had 15.47.47	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Q. And as we discussed before, 15:48:58  Sunrise had its license revoked by the DEA in 15:48:59  2010 as a result of suspicious orders they 15:49:02  were shipping to Florida, correct? 15:49:05  MR. O'CONNOR: Object to form. 15:49:07  THE WITNESS: Yes. 15:49:08  QUESTIONS BY MR. KO: 15:49:09  Q. Okay. And Sunrise was a 15:49:09  customer, again, of Mallinckrodt? 15:49:11  A. Yes. 15:49:13  Q. And is it your understanding 15:49:14  that Mr. Borelli was in charge of the Sunrise 15:49:17  account? 15:49:24  A. Yes. 15:49:24  Q. Okay. And Ms. Stewart 15:49:24  indicates some language to you about 15:49:31  importance is high. 15:49:31  importance is high. 15:49:35  customer service reps all state that Victor 15:49:38  will tell them anything they want to hear 15:49:41  just so he can get the sale," end quote. 15:49:42  Did I read that correctly? 15:49:46  A. You did. 15:49:46	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	A. Yes, I see that that's printed 15:50:44 in the e-mail, yes, sir. 15:50:46 Q. Okay. So given that 15:50:47 Mr. Borelli has an incentive to obtain as 15:50:51 many sales as possible, is it still your 15:50:54 testimony that you believe it's not a 15:50:57 conflict of interest for him to be involved 15:50:58 in the evaluation of a peculiar order? 15:51:00 MR. O'CONNOR: Object to form. 15:51:02 THE WITNESS: Yes. Yes. 15:51:03 QUESTIONS BY MR. KO: 15:51:03 Q. By the way, how many times did 15:51:04 Mr. Borelli confirm that an order was 15:51:05 actually suspicious? 15:51:10 Q. Well, you had previously we 15:51:16 had previously discussed an e-mail in which 15:51:18 you told Ms. Spaulding that no orders rose to 15:51:19 the level of suspicious in the 2008 to 2000 15:51:24 {sic} time period 15:51:28 A. Okay. 15:51:28 A. Uh-huh. 15:51:28 Q. So I take it that Mr. Borelli 15:51:29

being suspicious; is that accurate?   15:31-35		D 242		D 244
2	,	Page 342	1	Page 344
THE WITNESS: Yes.   15:51:38   3   from the questionnaire by the Mallinckrott   15:54:14   4   QUESTIONS BY MR. KO:   15:51:39   5   Sq. And the same would be true with   15:51:49   5   there is no actual regulatory obligation to   15:54:19   5   there is no actual regulatory obligation to   15:54:19   5   there is no actual regulatory obligation to   15:54:19   5   there is no actual regulatory obligation to   15:54:25   15:54:25   2   the exception of the insertion 'is'   15:54:25   2   the exception of the insertion 'is'   15:54:26   2   A. Yes.   15:54:30   2   O. Coay. And so at - is is act   15:54:30   2   O. Coay. And so at - is is act   15:54:30   2   O. Coay. On, and with respect   15:51:57   15:54:35   2   to August 26, 2010, in your customer   15:54:35   2   the frish page of the exception of the insertion 'is'   15:54:30   2   to August 26, 2010, in your customer   15:54:30   2   to August 26, 2010, in your customer   15:54:35   2   to August 26, 2010, in your customer   15:54:35   2   the frish page of the exception of the insertion of 'is'   15:54:30   2   to August 26, 2010, in your customer   15:54:30   2   to August 26, 2010, in your customer   15:54:31   2   to August 26, 2010, in your customer   15:54:35   2   the frish page of the exception of the insertion of 'is'   15:54:30   2   to August 26, 2010, in your customer   15:54:43   2   to August 26, 2010, in your customer   15:54:43   2   to August 26, 2010, in your customers   15:54:43   2   to August 26, 2010, in your customers   15:54:43   2   to August 26, 2010, in your customers   15:54:43   2   to August 26, 2010, in your customers   15:54:43   2   to August 26, 2010, in your customers   15:54:43   2   to August 26, 2010, in your customers   15:54:43   2   to August 26, 2010, in your customers   15:54:43   2   to August 26, 2010, in your customers   15:54:43   2   to August 26, 2010, in your customers   15:54:43   2   to August 26, 2010, in your customers   15:54:43   2   to August 26, 2010, in your customers   15:54:43   2   to Augus		~ .		*
4 QUESTIONS BY MR. KO: 15.51.39   suspicious order monitoring team because   15.54.16   suspicious order monitoring team because   15.54.16   suspicious order monitoring team because   15.54.19   suspicious   15.55.143   suspicious order monitoring team because   15.54.19   suspicious   15.55.143   suspicious order monitoring team because   15.54.19   suspicious   15.55.144   suspicious order monitoring team because   15.54.19   suspicious   15.55.143   suspicious order monitoring team because   15.54.19   suspicious   15.54.19   suspiciou		Č		
5				*
respect to Ms. New and Mr. Becker, correct?   15:51:40   7				•
7				
8 yes. 15:51:44 9 Q. Yeah. 15:51:44 11 Mr. Becker or Ms. New evaluated whether or 15:51:46 12 not a peculiar order was suspicious, they 15:51:50 13 never, in fact, reported that such an order 15:51:52 14 was suspicious to you, correct? 15:51:57 15 A. Correct. 15:51:58 16 Q. Okay. Oh, and with respect 15:51:59 17 to -so in addition to Ms. New, Mr. Becker 15:52:17 18 and Mr. Borelli, were there any other NAMs 15:52:27 19 during the 2008 to 2000 (sight time period 15:52:23) 10 during the 2008 to 2000 (sight time period 15:52:23) 11 during the 2008 to 2000 (sight time period 15:52:23) 12 during the 2008 to 2000 (sight time period 15:52:23) 13 female 2008 to 2000 (sight time period 15:52:23) 14 during the 2008 to 2000 (sight time period 15:52:23) 15 during the 2008 to 2000 (sight time period 15:52:23) 16 during the 2008 to 2000 (sight time period 15:52:23) 17 during the 2008 to 2000 (sight time period 15:52:23) 18 should rise to the level of a suspicious 15:52:33 19 during the 2008 to 2000 (sight time period 15:52:23) 20 quring the ferry was a NAM for the 15:52:35 21 during the 2008 to 2000 (sight time period 15:52:23) 22 during the 2008 to 2000 (sight time period 15:52:23) 23 during the 2008 to 2000 (sight time period 15:52:23) 24 generics group at one point, and Dave Irwin, 15:52:43 25 hut I Just don't remember specifically 15:52:42 26 that required further review. 15:52:46 27 during with them in terms of an order 15:52:52 28 Ms. Spaulding that there were no suspicious 15:53:08 29 reported to you that a peculiar order should 15:53:08 20 (Mallinekrodt-Harper Exhibit 17 15:53:08 21 form you to others, you state, "Ginger and 15:53:15 22 (Mallinekrodt Harper Exhibit 17 15:53:09 23 (QUESTIONS BY MR. KO: 15:55:54 24 (Mallinekrodt order should 15:53:30 25 (Form you to others, you state, "Ginger and 15:53:40 26 (Mallinekrodt and marked as exhibit - Harper 15:53:30 27 (Form you to others, you state, "Ginger and 15:53:40 28 (Form you to others, you state, "Ginger and 15:53:40 29 (Form you to others, you state, "Ginger and		-		
9 Q. Yeah. 15:51:44  10 So to the extent that 15:51:44  11 Mr. Becker or Ms. New evaluated whether or 15:51:50 not a peculiar order was suspicious, they 15:51:50 not a peculiar order was suspicious, they 15:51:50 not a peculiar order was suspicious to you, correct? 15:51:55:157  15 A. Correct. 15:51:55   155   157   156   157				•
10 So to the extent that				
11 Mr. Becker or Ms. New evaluated whether or 15.51-54 12 12 not a peculiar order was suspicious, they 15.51-50 13 never, in fact, reported that such an order 15.51-52 13 never, in fact, reported that such an order 15.51-52 13 never, in fact, reported that such an order 15.51-52 14 not your customers monitor their customers? 15.54-33 never, in fact, reported that such an order 15.51-52 15 15 15 15 15 15 15 15 15 15 15 15 15				
12 not a peculiar order was suspicious, they 15 in the perver, in fact, reported that such an order 15 in the was suspicious to you, correct? 15 in the was suspicious to you was the was all the was suspicious to you that a peculiar order 15 in the was suspicious to you that a peculiar order 15 in the was suspicious to you that a peculiar order 15 in the was suspicious to you that a peculiar order 15 in the was suspicious to you that a peculiar order 15 in the was suspicious to you that a peculiar order 15 in the was suspicious to you that a peculiar order to you that a peculiar order 15 in the was suspicious to you that a peculiar order to you that a peculiar order to you that a peculiar order should the was suspicious to you do document is - ends in Bates stamp 368390. 15 in an August 26, 2010 e-mail 15:53:19 16	10		10	
13 never, in fact, reported that such an order	11		11	
14 was suspicious to you, correct? 15:51:58 15 A. Correct. 15:51:58 16 Q. Okay. Oh, and with respect 15:51:59 17 to —so in addition to Ms. New, Mr. Becker 15:52:17 18 and Mr. Borelli, were there any other NAMs 15:52:22 19 during the 2008 to 2000 (sic) time period 15:52:30 20 that informed you that a peculiar order 15:52:30 21 during the 2008 to 2000 (sic) time period 15:52:30 22 order? 15:52:35 23 A. Tim Berry was a NAM for the 15:52:35 24 egnerics group at one point, and Dave Irwin, 15:52:38 25 but I just don't remember specifically 15:52:42 26 that informed you that mere of an order 15:52:45 27 that required further review. 15:52:45 28 again, based on your representation to 15:52:55 29 Ms. Spaulding that there were no suspicious 15:52:57 30 Q. Okay. As you sit — well, 15:52:57 40 again, based on your representation to 15:52:57 41 again, based on your representation to 15:52:57 42 say that no national account manager ever 15:53:08 43 reported to you that a peculiar order should 15:53:08 45 reported to you that a peculiar order should 15:53:08 46 reported to you that a peculiar order should 15:53:30 47 Q. Okay. As you sit — well, 15:52:54 48 again, based on your representation to 15:52:54 49 reported to you that a peculiar order should 15:53:08 40 reported to you that a peculiar order should 15:53:08 41 A. Yes. 15:53:08 42 (Mallinckrodt-Harper Exhibit 17 15:53:30 43 Q. Okay. Vant to turn to a copy 15:53:30 44 QUESTIONS BY MR. KO: 15:55:30 45 (Mallinckrodt-Harper Exhibit 17 15:53:30 46 of what will be marked as exhibit — Harper 15:53:34 47 (MR. O'CONNOR: Object to form. 15:55:40 48 And for the record, this 15:53:45 49 (WESTIONS BY MR. KO: 15:55:55 40 (Mallinckrodt to know your customers unsition their customers in 15:54:40 40 (WESTIONS BY MR. KO: 15:55:55 40 (WESTIONS BY MR. KO: 15:55:55 41 (WESTIONS BY MR. KO: 15:55:55 41 (WESTIONS BY MR. KO: 15:55:55 41 (WESTIONS BY MR. KO: 15:55:55 42 (WESTIONS BY MR. KO: 15:55:55 43 (WESTIONS BY MR. KO: 15:55:55 44 (WESTIONS BY MR. KO: 15:55:55 45 (WESTIONS BY MR. KO: 15:55	12		12	•
15	13	never, in fact, reported that such an order 15:51:52	13	checklist you had a question of whether or 15:54:40
16	14	was suspicious to you, correct? 15:51:57	14	•
17 to so in addition to Ms. New, Mr. Becker   15:52:17   18 and Mr. Borelli, were there any other NAMs   15:52:22   18 from the questionnaire, correct?   15:54:53   19 during the 2008 to 2000 (sic) time period   15:52:30   20 that informed you that a peculiar order   15:52:30   21 that informed you that a peculiar order   15:52:35   22 order?   15:52:35   23   24 that informed you that a peculiar order   15:52:35   25:52:35   26 that required further review.   15:52:42   27 that required further review.   15:52:42   28 that required further review.   15:52:45   29 that required further review.   15:52:52   29 that required further review.   15:52:48   29 that required further review.   15:52:52   29 that required further review.   15:52:48   29 that required further review.   15:52:48   29 that required further review.   15:52:52   29 that required further review.   15:52:48   29 that required further review.   15:52:48   29 that required further review.   15:52:52   29 that required further review.   15:52:48   20 that required further review.   15:52:49   20 that required further review.   15:52:52   20 that required further review.   15:52:49   20 that required further review.   15:52:49   20 that required further review.   15:55:52   20 that required further review.   15:55:52   20 that required further review.   15:52:40   20 that required further review.   15:52:40   20 that required further review.   15:55:30   20	15	A. Correct. 15:51:58	15	Correct? 15:54:50
18 and Mr. Borelli, were there any other NAMs   15:52:22   18 from the questionnaire, correct?   15:54:53   19 during the 2008 to 2000 (sic) time period   15:52:25   15:52:35   20 that informed you that a peculiar order   15:52:33   21 km informed you that a peculiar order   15:52:35   22 should rise to the level of a suspicious   15:52:35   22 should rise to the level of a suspicious   15:52:35   23 should rise to the level of a suspicious   15:52:35   24 should rise to the level of being and pave first   15:52:35   25 should rise to the level of being a suspicious   15:52:46   25 should in them in terms of an order   15:52:46   27 say that no national account manager ever   15:53:08   28 reported to you that a peculiar order should   15:53:08   29 rise to the level of being a suspicious   15:53:08   20 (Mallinckrodt-Harper Exhibit 17   15:53:08   20 (Mallinckrodt-Harper Exhibit 17   15:53:30   20 (Mallinckrodt-Harper Exhibit 17   15:53:35   20 (Mallinckrodt-Harper Exhibit 17   15:53:35   20 (Mallinckrodt-Harper Exhibit 17   15:53:35   20 (Mallinckrodt-Harper Exhibit 17   15:53:54   20 (Mallinckrodt-Harper Exhibit 17   15:53:54   20 (Mallinckrodt-Harper Exhibit 17   15:53:54   20 (Mallinckrodt-Harper Exhibit 17   15:53:55   20 (Mallinckrodt-Harper Exhibit 17   20 (Mallinckrodt-Harper Exhibit 17   20 (Ma	16	Q. Okay. Oh, and with respect 15:51:59	16	A. Yes. 15:54:50
19 during the 2008 to 2000 {sic} time period   15:52:25   19   A. Yes.   15:54:53   15:54:54   15:55:10   15:	17	to so in addition to Ms. New, Mr. Becker 15:52:17	17	Q. But you removed that question 15:54:51
20 that informed you that a peculiar order 15:52:30   20 Q. Set that aside. 15:54:54   15:54:54   21 should rise to the level of a suspicious 15:52:33   21 A. All right. 15:54:54   22 order? 15:52:35   23 that question from your questionnaire was an 15:55:10   24 generics group at one point, and Dave Irwin, 15:52:38   25 but I just don't remember specifically 15:52:42   25 A. I don't think it was not, so 15:55:12   25 but I just don't remember specifically 15:52:42   25 A. I don't think it was not, so 15:55:15   26 that required further review. 15:52:46   3 Q. Okay. As you sit well, 15:52:46   3 again, based on your representation to 15:52:52   4 removing that question from your quoted for dentification. 15:53:08   7 ay that no national account manager ever 15:53:09   7 ay that no national account manager ever 15:53:09   7 ay that no national account manager ever 15:53:09   7 ay that no national	18	and Mr. Borelli, were there any other NAMs 15:52:22	18	from the questionnaire, correct? 15:54:53
21   Should rise to the level of a suspicious   15:52:35   25   26   27   28   29   29   29   29   20   20   20   20	19	during the 2008 to 2000 {sic} time period 15:52:25	19	A. Yes. 15:54:53
22   Order?   15:52:35   A. Tim Berry was a NAM for the   15:52:35   A. Tim Berry was a NAM for the   15:52:35   But I just don't remember specifically   15:52:32   But I just don't remember specifically   15:52:46   But I just don't remember specifically   15:52:48   But I just don't remember specifically   15:52:46   But I just don't remember specifically   15:52:46   But I just don't remember specifically   15:52:46   But I just don't remember specifically   15:52:48   But I just don't remember specifically   15:52:46   But I just don't remember specifically   15:55:17   But I just don't remember specifically   15:55:17   But I just don't think it usa into it, it is it it is it	20	that informed you that a peculiar order 15:52:30	20	Q. Set that aside. 15:54:54
23 A. Tim Berry was a NAM for the generics group at one point, and Dave Irwin, 15:52:38   24   generics group at one point, and Dave Irwin, 15:52:38   25   but I just don't remember specifically   15:52:42   25   A. I don't think it was not, so   15:55:15   15:55:15	21	should rise to the level of a suspicious 15:52:33	21	A. All right. 15:54:54
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Page 343   1	23	A. Tim Berry was a NAM for the 15:52:35	23	
Page 343   1	24	•	24	
Page 343   1   conferring with them in terms of an order   15:52:43   1   that's a double negative. I don't think it   15:55:17   2   that required further review.   15:52:46   2   was to the detriment of the program.   15:55:21   3   Q. Okay. As you sit well,   15:52:48   3   Q. Okay. So you don't regret   15:55:23   4   again, based on your representation to   15:52:54   4   removing that question from your   15:55:25   5   Ms. Spaulding that there were no suspicious   15:52:54   6   orders as of October 31, 2010, is it fair to   15:52:57   6   A. No.   15:55:27   7   say that no national account manager ever   15:53:00   7   Q. Okay. And that's   15:55:28   notwithstanding the fact that you did receive   15:55:30   15:53:08   10   order?   15:53:08   11   MR. O'CONNOR: Object to form.   15:55:35   12   (Mallinckrodt-Harper Exhibit 17   15:53:08   13   MR. O'CONNOR: Object to form.   15:55:39   14   Q. Okay. I want to turn to a copy   15:53:09   15:53:19   15:55:40   15:55:40   15:55:40   15:55:50   16   Mallinckrodt to know your customer's cus	25		25	
1 conferring with them in terms of an order that required further review. 15:52:46 2 that required further review. 15:52:46 3 Q. Okay. As you sit well, 15:52:48 4 again, based on your representation to 15:52:52 5 Ms. Spaulding that there were no suspicious 15:52:52 6 orders as of October 31, 2010, is it fair to 15:52:57 7 say that no national account manager ever 15:53:03 9 rise to the level of being a suspicious 15:53:05 10 order? 15:53:08 11 A. Yes. 15:53:08 12 (Mallinckrodt-Harper Exhibit 17 15:53:08 13 marked for identification.) 15:53:08 14 QUESTIONS BY MR. KO: 15:53:09 15 Q. Okay. I want to turn to a copy 15:53:09 16 of what will be marked as exhibit Harper 15:53:34 17 Exhibit 17. 15:53:19 18 And for the record, this 15:53:34 19 document is ends in Bates stamp 368390. 15:53:55 10 In an August 26, 2010 e-mail 15:53:50 11 From you to others, you state, "Ginger and 15:54:04 12 Kate,," is the first page, "Although we 15:54:04 15 that's a double negative. I don't think it 15:55:17 12 was to the detriment of the program. 15:55:21 15 was to the detriment of the program. 15:55:21 15 was to the detriment of the program. 15:55:23 15:55:23 16 Q. Okay. So you don't regret 15:55:25 16 A. No. 15:55:27 17 Q. Okay. And that's 15:55:28 18 notwithstanding the fact that you did receive 15:55:30 19 guidance from the DEA that they expected you 15:55:33 10 to monitor your customer's customer, correct? 15:55:39 11 MR. O'CONNOR: Object to form. 15:55:49 12 (Mallinckrodt to know your customer's 15:55:54 13 (State of the program. 15:55:25 14 THE WITNESS: Yes. 15:55:55 15 (State of the detriment of the program. 15:55:52 16 A. No. 15:55:27 17 Q. Okay. And that's 15:55:52 18 notwithstanding the fact that you did receive 15:55:30 19 guidance from the DEA that they expected you 15:55:33 10 to monitor your customer's customer, correct? 15:55:39 15:55:39 16 (Mallinckrodt-Harper				
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3         Q. Okay. As you sit well, again, based on your representation to again, based on your representation to 15:52:52         15:52:54         4 removing that question from your 15:55:23         15:55:23           5         Ms. Spaulding that there were no suspicious orders as of October 31, 2010, is it fair to 15:52:57         15:52:57         6         A. No. 15:55:27         15:55:28           7         say that no national account manager ever profiled to you that a peculiar order should prize to the level of being a suspicious order? 15:53:08         15:53:08         8         notwithstanding the fact that you did receive profiled to the level of being a suspicious order? 15:53:08         15:53:08         10         to monitor your customer's customer, correct? 15:55:39         15:55:39           12         (Mallinckrodt-Harper Exhibit 17 or ibit 17 or ibit 15:53:09         15:53:08         11         MR. O'CONNOR: Object to form. Ibit 55:53:39         15:55:39           14         QUESTIONS BY MR. KO: 15:53:09         15:53:09         15:53:09         15:53:09         15:55:30           15         Q. Okay. I want to turn to a copy of what will be marked as exhibit Harper 15:53:15         15:53:15         16         Mallinckrodt to know your customer's 15:55:40         15:55:40           16         A. Ad for the record, this 15:53:19         15:53:30         15:53:30         16         Mallinckrodt to know your customer's 15:55:55         15:55:55		2		
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5         Ms. Spaulding that there were no suspicious orders as of October 31, 2010, is it fair to 15:52:57         15:52:54         5         questionnaire?         15:55:26           7         say that no national account manager ever prize to to the level of being a suspicious order?         15:53:03         7         Q. Okay. And that's puidle receive proved that they expected your prize to the level of being a suspicious order?         15:53:08         10         notwithstanding the fact that you did receive prize that they expected your prize to monitor your customer's customer, correct?         15:55:30           10         order?         15:53:08         10         more prize to the level of being a suspicious prize to the level of being a suspicious order?         15:53:08         10         to monitor your customer's customer, correct?         15:55:33           10         order?         15:53:08         11         MR. O'CONNOR: Object to form.         15:55:35           12         (Mallinckrodt-Harper Exhibit 17         15:53:08         12         THE WITNESS: Correct.         15:55:39           14         Q. Okay. I want to turn to a copy prize of wat will be marked as exhibit Harper down will be marked for the record, this prize of water and for the record, this prize of water and for the record, this prize of water and f	3	• •	3	
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7       say that no national account manager ever       15:53:00       7       Q. Okay. And that's       15:55:28         8       reported to you that a peculiar order should       15:53:03       8       notwithstanding the fact that you did receive       15:55:30         9       rise to the level of being a suspicious       15:53:08       10       to monitor your customer's customer, correct?       15:55:33         10       order?       15:53:08       11       MR. O'CONNOR: Object to form.       15:55:35         12       (Mallinckrodt-Harper Exhibit 17       15:53:08       12       THE WITNESS: Correct.       15:55:39         13       marked for identification.)       15:53:08       13       QUESTIONS BY MR. KO:       15:55:39         14       Q. Okay. I want to turn to a copy       15:53:09       14       Q. Okay. So you received guidance       15:55:40         15       Exhibit 17.       15:53:19       15:53:19       16       Mallinckrodt to know your customer's       15:55:40         16       of what will be marked as exhibit Harper       15:53:34       18       your questionnaire; is that accurate?       15:55:55         18       And for the record, this       15:53:35       19       MR. O'CONNOR: Object to form.       15:55:55         19       In an August 2	5	1		•
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11 A. Yes. 15:53:08	9	rise to the level of being a suspicious 15:53:05	9	guidance from the DEA that they expected you 15:55:33
12       (Mallinckrodt-Harper Exhibit 17       15:53:08       12       THE WITNESS: Correct.       15:55:39         13       marked for identification.)       15:53:08       13       QUESTIONS BY MR. KO:       15:55:39         14       Q. Okay. So you received guidance       15:55:40         15       Q. Okay. I want to turn to a copy       15:53:09       15       from the DEA that it was important for       15:55:42         16       of what will be marked as exhibit Harper       15:53:19       16       Mallinckrodt to know your customer's       15:55:46         17       Exhibit 17.       15:53:34       18       your questionnaire; is that accurate?       15:55:50         19       document is ends in Bates stamp 368390.       15:53:35       19       MR. O'CONNOR: Object to form.       15:55:53         20       In an August 26, 2010 e-mail       15:53:50       20       THE WITNESS: Yes.       15:55:55         21       from you to others, you state, "Ginger and 15:53:54       15:53:54       21       May I add, please?       15:55:55         23       require direct customers to submit a       15:54:04       23       Q. This is a yes or no question.       15:55:55         24       suspicious order monitoring customer       15:54:06       24       That's all I needed.	10	order? 15:53:08	10	•
13       marked for identification.)       15:53:08       13       QUESTIONS BY MR. KO:       15:55:39         14       QUESTIONS BY MR. KO:       15:53:09       14       Q. Okay. So you received guidance       15:55:40         15       Q. Okay. I want to turn to a copy       15:53:09       15       from the DEA that it was important for       15:55:42         16       of what will be marked as exhibit Harper       15:53:15       16       Mallinckrodt to know your customer's       15:55:46         17       Exhibit 17.       15:53:34       18       your questionnaire; is that accurate?       15:55:50         19       document is ends in Bates stamp 368390.       15:53:35       19       MR. O'CONNOR: Object to form.       15:55:53         20       In an August 26, 2010 e-mail       15:53:50       20       THE WITNESS: Yes.       15:55:53         21       from you to others, you state, "Ginger and 15:53:54       21       May I add, please?       15:55:55         23       require direct customers to submit a       15:54:04       23       Q. This is a yes or no question.       15:55:57         24       suspicious order monitoring customer       15:54:06       24       That's all I needed.       15:55:57	11		11	MR. O'CONNOR: Object to form. 15:55:37
14       QUESTIONS BY MR. KO:       15:53:09       14       Q. Okay. So you received guidance       15:55:40         15       Q. Okay. I want to turn to a copy       15:53:09       15       from the DEA that it was important for       15:55:42         16       of what will be marked as exhibit Harper       15:53:15       16       Mallinckrodt to know your customer's       15:55:46         17       Exhibit 17.       15:53:19       17       customer, yet you removed that question from       15:55:48         18       And for the record, this       15:53:34       18       your questionnaire; is that accurate?       15:55:50         19       document is ends in Bates stamp 368390.       15:53:35       19       MR. O'CONNOR: Object to form.       15:55:53         20       In an August 26, 2010 e-mail       15:53:50       20       THE WITNESS: Yes.       15:55:55         21       from you to others, you state, "Ginger and 15:53:54       21       May I add, please?       15:55:55         23       require direct customers to submit a       15:54:04       23       Q. This is a yes or no question.       15:55:55         24       suspicious order monitoring customer       15:54:06       24       That's all I needed.       15:55:57	12	(Mallinckrodt-Harper Exhibit 17 15:53:08	12	THE WITNESS: Correct. 15:55:39
15       Q. Okay. I want to turn to a copy       15:53:09       15       from the DEA that it was important for       15:55:42         16       of what will be marked as exhibit Harper       15:53:15       16       Mallinckrodt to know your customer's       15:55:46         17       Exhibit 17.       15:53:19       17       customer, yet you removed that question from 15:55:48         18       And for the record, this 15:53:34       18       your questionnaire; is that accurate?       15:55:50         19       MR. O'CONNOR: Object to form. 15:55:53       15:55:53         20       In an August 26, 2010 e-mail 15:53:50       20       THE WITNESS: Yes. 15:55:53         21       from you to others, you state, "Ginger and 15:53:54       21       May I add, please? 15:55:55         22       Kate," is the first page, "Although we 15:54:04       22       QUESTIONS BY MR. KO: 15:55:56         23       require direct customers to submit a suspicious order monitoring customer       15:54:04       23       Q. This is a yes or no question. 15:55:57	13	marked for identification.) 15:53:08	13	QUESTIONS BY MR. KO: 15:55:39
16 of what will be marked as exhibit Harper       15:53:15       16 Mallinckrodt to know your customer's       15:55:46         17 Exhibit 17.       15:53:19       17 customer, yet you removed that question from 15:55:48         18 And for the record, this 15:53:34       18 your questionnaire; is that accurate? 15:55:50         19 document is ends in Bates stamp 368390.       15:53:35       19 MR. O'CONNOR: Object to form. 15:55:53         20 In an August 26, 2010 e-mail 15:53:50       20 THE WITNESS: Yes. 15:55:53         21 from you to others, you state, "Ginger and 15:53:54       21 May I add, please? 15:55:54         22 Kate," is the first page, "Although we 15:54:00       22 QUESTIONS BY MR. KO: 15:55:55         23 require direct customers to submit a suspicious order monitoring customer       15:54:04       23 Q. This is a yes or no question. 15:55:57	14	QUESTIONS BY MR. KO: 15:53:09	14	Q. Okay. So you received guidance 15:55:40
17       Exhibit 17.       15:53:19       17       customer, yet you removed that question from you removed that question from document is reduced in Bates stamp 368390.       15:55:34       18       your questionnaire; is that accurate?       15:55:50         19       MR. O'CONNOR: Object to form.       15:55:53         20       In an August 26, 2010 e-mail 15:53:50       20       THE WITNESS: Yes.       15:55:53         21       from you to others, you state, "Ginger and 15:53:54       21       May I add, please?       15:55:55         22       Kate," is the first page, "Although we require direct customers to submit a suspicious order monitoring customer       15:54:04       23       Q. This is a yes or no question.       15:55:56         24       That's all I needed.       15:55:57	15	Q. Okay. I want to turn to a copy 15:53:09	15	from the DEA that it was important for 15:55:42
18       And for the record, this       15:53:34       18       your questionnaire; is that accurate?       15:55:50         19       document is ends in Bates stamp 368390.       15:53:35       19       MR. O'CONNOR: Object to form.       15:55:53         20       In an August 26, 2010 e-mail       15:53:50       20       THE WITNESS: Yes.       15:55:53         21       from you to others, you state, "Ginger and 15:53:54       21       May I add, please?       15:55:54         22       Kate," is the first page, "Although we require direct customers to submit a 15:54:04       22       QUESTIONS BY MR. KO: 15:55:56         23       require direct customers to submit a suspicious order monitoring customer       15:54:04       23       Q. This is a yes or no question.       15:55:57	16	of what will be marked as exhibit Harper 15:53:15	16	Mallinckrodt to know your customer's 15:55:46
18       And for the record, this       15:53:34       18       your questionnaire; is that accurate?       15:55:50         19       document is ends in Bates stamp 368390.       15:53:35       19       MR. O'CONNOR: Object to form.       15:55:53         20       In an August 26, 2010 e-mail       15:53:50       20       THE WITNESS: Yes.       15:55:53         21       from you to others, you state, "Ginger and the first page, "Although we is require direct customers to submit a is required in the first page, "Although we is required in the first page," Although we is required in the first page, "Although we is required in the first page," Although we is required in the first page, "Although we is required in the first page," Although we is required in the first page, "Although we is required in the first page," Although we is required in the first page, and the firs	17	Exhibit 17. 15:53:19	17	customer, yet you removed that question from 15:55:48
20       In an August 26, 2010 e-mail       15:53:50       20       THE WITNESS: Yes.       15:55:53         21       from you to others, you state, "Ginger and 15:53:54       21       May I add, please?       15:55:54         22       Kate," is the first page, "Although we require direct customers to submit a suspicious order monitoring customer       15:54:04       22       QUESTIONS BY MR. KO: 15:55:55         23       Q. This is a yes or no question. 15:55:57         24       That's all I needed. 15:55:57	18	And for the record, this 15:53:34	18	
20       In an August 26, 2010 e-mail       15:53:50       20       THE WITNESS: Yes.       15:55:53         21       from you to others, you state, "Ginger and 15:53:54       21       May I add, please?       15:55:54         22       Kate," is the first page, "Although we require direct customers to submit a suspicious order monitoring customer       15:54:04       22       QUESTIONS BY MR. KO: 15:55:55         23       Q. This is a yes or no question. 15:55:57         24       That's all I needed. 15:55:57	19	document is ends in Bates stamp 368390. 15:53:35	19	MR. O'CONNOR: Object to form. 15:55:53
from you to others, you state, "Ginger and 15:53:54  Kate," is the first page, "Although we 15:54:00  require direct customers to submit a 15:54:04  suspicious order monitoring customer 15:54:06  May I add, please? 15:55:54  QUESTIONS BY MR. KO: 15:55:55  Question and I is a yes or no question. 15:55:56  That's all I needed. 15:55:57	20	•	20	•
22 Kate," is the first page, "Although we 15:54:00 22 QUESTIONS BY MR. KO: 15:55:55 23 require direct customers to submit a 15:54:04 23 Q. This is a yes or no question. 15:55:56 24 suspicious order monitoring customer 15:54:06 24 That's all I needed. 15:55:57	21		21	May I add, please? 15:55:54
require direct customers to submit a 15:54:04 23 Q. This is a yes or no question. 15:55:56 24 That's all I needed. 15:55:57			22	
24 suspicious order monitoring customer 15:54:06 24 That's all I needed. 15:55:57				
		•		
questionnaire with proof of their united DDT 15.5 No.		•		
		questionnaire with proof of their annual DEA 13.34.07		10.00.00

	Page 346		Page 348
1	Q. Counsel can has the 15:55:59	1	checklist. 15:58:05
2	opportunity to do some redirect if he would 15:56:01	2	Is that accurate? 15:58:10
3	like. 15:56:02	3	A. Yes, it is, yes. 15:58:11
4	A. Okay. Thank you. 15:56:03	4	Q. And she indicates that you left 15:58:12
5	(Mallinckrodt-Harper Exhibit 18 15:56:07	5	a message regarding a customer checklist, 15:58:16
6	marked for identification.) 15:56:08	6	correct? 15:58:19
7	QUESTIONS BY MR. KO: 15:56:08	7	A. Yes. I just had to figure out 15:58:19
8	Q. I'm going to hand you a copy of 15:56:08	8	who was leaving the message. Yes. Yes. 15:58:24
9	what's going to be marked as Harper 15:56:09	9	Q. Sure. 15:58:26
10	Exhibit 18. 15:56:12	10	And Ms. Stewart seems to be 15:58:26
	And for the record, this 15:56:21 document ends in Bates 279142. 15:56:22	11	referencing some failures on the customer 15:58:28 checklist that seemed to be the result of 15:58:31
12		12	
13	This is an April 29, 2010 15:56:28 e-mail you send to Ms. Spaulding regarding 15:56:32	13	confusion as it relates to the form itself. 15:58:35
14		15	Do you see that reference? 15:58:39  A. Yes. 15:58:40
16 17		16	Q. So at the time of this e-mail, 15:58:42 there was certainly some confusion with 15:58:44
18	working algorithms, and J. Rausch has been 15:56:43 reviewing peculiar orders for several weeks. 15:56:46	17	•
19	reviewing peculiar orders for several weeks. 15:56:46  I have a meeting with Jim tomorrow because 15:56:48	18 19	respect to the questionnaire that you were 15:58:46 trying to roll out in 2009, correct? 15:58:47
20	the review is taking several hours a day, yet 15:56:50	20	A. Yes. 15:58:49
21	still results in him making a judgment call 15:56:53	21	Q. And Ms. Stewart indicates that 15:58:49
22	that he is not comfortable with. Bottom line 15:56:55	22	she's actually putting customers that have 15:58:51
23	is that tomorrow I plan on having something 15:56:59	23	been put on hold as a result of this customer 15:58:54
24	for you to give DEA. Trying desperately to 15:57:01	24	checklist, and she's actually recommending 15:58:57
25	clear up all loose ends before the potential 15:57:04	25	that they be taken off. 15:59:01
	clear up an loose ends before the potential 13.37.04		that they be taken on. 13.37.01
	Page 347		Page 349
	_		_
1	work stoppage." 15:57:06	1	Is that consistent with how 15:59:03
2	Did I read that correctly? 15:57:07	2	Is that consistent with how 15:59:03 this e-mail reads? 15:59:05
2	Did I read that correctly? 15:57:07  A. Yes. 15:57:08	2 3	Is that consistent with how 15:59:03 this e-mail reads? 15:59:05 MR. O'CONNOR: Object to form. 15:59:06
2 3 4	Did I read that correctly? 15:57:07  A. Yes. 15:57:08  Q. Okay. And is it accurate to 15:57:09	2 3 4	Is that consistent with how 15:59:03 this e-mail reads? 15:59:05 MR. O'CONNOR: Object to form. 15:59:06 THE WITNESS: Yes. 15:59:06
2 3 4 5	Did I read that correctly? 15:57:07  A. Yes. 15:57:08  Q. Okay. And is it accurate to 15:57:09 say that as of April 29, 2010, it's your 15:57:12	2 3 4 5	Is that consistent with how 15:59:03 this e-mail reads? 15:59:05 MR. O'CONNOR: Object to form. 15:59:06 THE WITNESS: Yes. 15:59:06 QUESTIONS BY MR. KO: 15:59:09
2 3 4 5 6	Did I read that correctly? 15:57:07  A. Yes. 15:57:08  Q. Okay. And is it accurate to 15:57:09 say that as of April 29, 2010, it's your 15:57:12 understanding that Mr. Rausch is still making 15:57:16	2 3 4 5 6	Is that consistent with how 15:59:03 this e-mail reads? 15:59:05 MR. O'CONNOR: Object to form. 15:59:06 THE WITNESS: Yes. 15:59:06 QUESTIONS BY MR. KO: 15:59:09 Q. So in other words, while there 15:59:09
2 3 4 5 6 7	Did I read that correctly? 15:57:07  A. Yes. 15:57:08  Q. Okay. And is it accurate to 15:57:09 say that as of April 29, 2010, it's your 15:57:12 understanding that Mr. Rausch is still making 15:57:16 judgment calls on peculiar orders that he is 15:57:19	2 3 4 5 6 7	Is that consistent with how 15:59:03 this e-mail reads? 15:59:05  MR. O'CONNOR: Object to form. 15:59:06 THE WITNESS: Yes. 15:59:06  QUESTIONS BY MR. KO: 15:59:09 Q. So in other words, while there 15:59:09 was confusion surrounding this particular 15:59:10
2 3 4 5 6 7 8	Did I read that correctly? 15:57:07  A. Yes. 15:57:08  Q. Okay. And is it accurate to 15:57:09 say that as of April 29, 2010, it's your 15:57:12 understanding that Mr. Rausch is still making 15:57:16 judgment calls on peculiar orders that he is 15:57:19 not comfortable with? 15:57:21	2 3 4 5 6 7 8	Is that consistent with how 15:59:03 this e-mail reads? 15:59:05  MR. O'CONNOR: Object to form. 15:59:06 THE WITNESS: Yes. 15:59:06 QUESTIONS BY MR. KO: 15:59:09 Q. So in other words, while there 15:59:09 was confusion surrounding this particular 15:59:10 version of the customer checklist, for any 15:59:13
2 3 4 5 6 7 8	Did I read that correctly? 15:57:07  A. Yes. 15:57:08  Q. Okay. And is it accurate to 15:57:09 say that as of April 29, 2010, it's your 15:57:12 understanding that Mr. Rausch is still making 15:57:16 judgment calls on peculiar orders that he is 15:57:19 not comfortable with? 15:57:21  A. Yes. 15:57:22	2 3 4 5 6 7 8	Is that consistent with how 15:59:03 this e-mail reads? 15:59:05  MR. O'CONNOR: Object to form. 15:59:06 THE WITNESS: Yes. 15:59:06 QUESTIONS BY MR. KO: 15:59:09 Q. So in other words, while there 15:59:09 was confusion surrounding this particular 15:59:10 version of the customer checklist, for any 15:59:13 customers that were put on hold at that time, 15:59:18
2 3 4 5 6 7 8 9	Did I read that correctly? 15:57:07  A. Yes. 15:57:08  Q. Okay. And is it accurate to 15:57:09 say that as of April 29, 2010, it's your 15:57:12 understanding that Mr. Rausch is still making 15:57:16 judgment calls on peculiar orders that he is 15:57:19 not comfortable with? 15:57:21  A. Yes. 15:57:22  Q. Okay. You can set that aside. 15:57:23	2 3 4 5 6 7 8 9	Is that consistent with how 15:59:03 this e-mail reads? 15:59:05  MR. O'CONNOR: Object to form. 15:59:06  THE WITNESS: Yes. 15:59:06  QUESTIONS BY MR. KO: 15:59:09  Q. So in other words, while there 15:59:09 was confusion surrounding this particular 15:59:10 version of the customer checklist, for any 15:59:13 customers that were put on hold at that time, 15:59:18 she had recommended putting them off of hold 15:59:19
2 3 4 5 6 7 8 9 10	Did I read that correctly? 15:57:07  A. Yes. 15:57:08  Q. Okay. And is it accurate to 15:57:09 say that as of April 29, 2010, it's your 15:57:12 understanding that Mr. Rausch is still making 15:57:16 judgment calls on peculiar orders that he is 15:57:19 not comfortable with? 15:57:21  A. Yes. 15:57:22  Q. Okay. You can set that aside. 15:57:23 Now, as we discussed, in 15:57:25	2 3 4 5 6 7 8 9 10	Is that consistent with how 15:59:03 this e-mail reads? 15:59:05  MR. O'CONNOR: Object to form. 15:59:06  THE WITNESS: Yes. 15:59:06  QUESTIONS BY MR. KO: 15:59:09  Q. So in other words, while there 15:59:09 was confusion surrounding this particular 15:59:10 version of the customer checklist, for any 15:59:13 customers that were put on hold at that time, 15:59:18 she had recommended putting them off of hold 15:59:19 and releasing orders; is that correct? 15:59:22
2 3 4 5 6 7 8 9 10 11 12	Did I read that correctly? 15:57:07  A. Yes. 15:57:08  Q. Okay. And is it accurate to 15:57:09 say that as of April 29, 2010, it's your 15:57:12 understanding that Mr. Rausch is still making 15:57:16 judgment calls on peculiar orders that he is 15:57:19 not comfortable with? 15:57:21  A. Yes. 15:57:22  Q. Okay. You can set that aside. 15:57:23 Now, as we discussed, in 15:57:25 addition to algorithms, you had checklists 15:57:34	2 3 4 5 6 7 8 9 10 11 12	Is that consistent with how 15:59:03 this e-mail reads? 15:59:05  MR. O'CONNOR: Object to form. 15:59:06 THE WITNESS: Yes. 15:59:06 QUESTIONS BY MR. KO: 15:59:09 Q. So in other words, while there 15:59:09 was confusion surrounding this particular 15:59:10 version of the customer checklist, for any 15:59:13 customers that were put on hold at that time, 15:59:18 she had recommended putting them off of hold 15:59:19 and releasing orders; is that correct? 15:59:22 A. Yes. 15:59:25
2 3 4 5 6 7 8 9 10 11 12 13	Did I read that correctly? 15:57:07  A. Yes. 15:57:08  Q. Okay. And is it accurate to 15:57:09 say that as of April 29, 2010, it's your 15:57:12 understanding that Mr. Rausch is still making 15:57:16 judgment calls on peculiar orders that he is 15:57:19 not comfortable with? 15:57:21  A. Yes. 15:57:22  Q. Okay. You can set that aside. 15:57:23 Now, as we discussed, in 15:57:25 addition to algorithms, you had checklists 15:57:34 that you were working on at the same time 15:57:38	2 3 4 5 6 7 8 9 10 11 12 13	Is that consistent with how 15:59:03 this e-mail reads? 15:59:05  MR. O'CONNOR: Object to form. 15:59:06 THE WITNESS: Yes. 15:59:06  QUESTIONS BY MR. KO: 15:59:09 Q. So in other words, while there 15:59:09 was confusion surrounding this particular 15:59:10 version of the customer checklist, for any 15:59:13 customers that were put on hold at that time, 15:59:18 she had recommended putting them off of hold 15:59:19 and releasing orders; is that correct? 15:59:22 A. Yes. 15:59:25 MR. O'CONNOR: Object to form. 15:59:26
2 3 4 5 6 7 8 9 10 11 12 13	Did I read that correctly? 15:57:07  A. Yes. 15:57:08  Q. Okay. And is it accurate to 15:57:09 say that as of April 29, 2010, it's your 15:57:12 understanding that Mr. Rausch is still making 15:57:16 judgment calls on peculiar orders that he is 15:57:19 not comfortable with? 15:57:21  A. Yes. 15:57:22  Q. Okay. You can set that aside. 15:57:23  Now, as we discussed, in 15:57:25 addition to algorithms, you had checklists 15:57:34 that you were working on at the same time 15:57:38 with respect to new and current customers, 15:57:39	2 3 4 5 6 7 8 9 10 11 12 13	Is that consistent with how 15:59:03 this e-mail reads? 15:59:05  MR. O'CONNOR: Object to form. 15:59:06 THE WITNESS: Yes. 15:59:06  QUESTIONS BY MR. KO: 15:59:09  Q. So in other words, while there 15:59:09 was confusion surrounding this particular 15:59:10 version of the customer checklist, for any 15:59:13 customers that were put on hold at that time, 15:59:18 she had recommended putting them off of hold 15:59:19 and releasing orders; is that correct? 15:59:22  A. Yes. 15:59:25  MR. O'CONNOR: Object to form. 15:59:26 QUESTIONS BY MR. KO: 15:59:27
2 3 4 5 6 7 8 9 10 11 12 13 14	Did I read that correctly? 15:57:07  A. Yes. 15:57:08  Q. Okay. And is it accurate to 15:57:09 say that as of April 29, 2010, it's your 15:57:12 understanding that Mr. Rausch is still making 15:57:16 judgment calls on peculiar orders that he is 15:57:19 not comfortable with? 15:57:21  A. Yes. 15:57:22  Q. Okay. You can set that aside. 15:57:23 Now, as we discussed, in 15:57:25 addition to algorithms, you had checklists 15:57:34 that you were working on at the same time 15:57:38 with respect to new and current customers, 15:57:39 correct? 15:57:41	2 3 4 5 6 7 8 9 10 11 12 13 14	Is that consistent with how 15:59:03 this e-mail reads? 15:59:05  MR. O'CONNOR: Object to form. 15:59:06 THE WITNESS: Yes. 15:59:06 QUESTIONS BY MR. KO: 15:59:09  Q. So in other words, while there 15:59:09 was confusion surrounding this particular 15:59:10 version of the customer checklist, for any 15:59:13 customers that were put on hold at that time, 15:59:18 she had recommended putting them off of hold 15:59:19 and releasing orders; is that correct? 15:59:22  A. Yes. 15:59:25  MR. O'CONNOR: Object to form. 15:59:26 QUESTIONS BY MR. KO: 15:59:27 Q. You can set that one aside. 15:59:28
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Did I read that correctly? 15:57:07  A. Yes. 15:57:08  Q. Okay. And is it accurate to 15:57:09 say that as of April 29, 2010, it's your 15:57:12 understanding that Mr. Rausch is still making 15:57:16 judgment calls on peculiar orders that he is 15:57:19 not comfortable with? 15:57:21  A. Yes. 15:57:22  Q. Okay. You can set that aside. 15:57:23  Now, as we discussed, in 15:57:25 addition to algorithms, you had checklists 15:57:34 that you were working on at the same time 15:57:38 with respect to new and current customers, 15:57:39 correct? 15:57:41  A. Correct. 15:57:41	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Is that consistent with how 15:59:03 this e-mail reads? 15:59:05  MR. O'CONNOR: Object to form. 15:59:06 THE WITNESS: Yes. 15:59:06  QUESTIONS BY MR. KO: 15:59:09  Q. So in other words, while there 15:59:09 was confusion surrounding this particular 15:59:10 version of the customer checklist, for any 15:59:13 customers that were put on hold at that time, 15:59:18 she had recommended putting them off of hold 15:59:19 and releasing orders; is that correct? 15:59:22  A. Yes. 15:59:25  MR. O'CONNOR: Object to form. 15:59:26 QUESTIONS BY MR. KO: 15:59:27 Q. You can set that one aside. 15:59:37
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Did I read that correctly? 15:57:07  A. Yes. 15:57:08  Q. Okay. And is it accurate to 15:57:09 say that as of April 29, 2010, it's your 15:57:12 understanding that Mr. Rausch is still making 15:57:16 judgment calls on peculiar orders that he is 15:57:19 not comfortable with? 15:57:21  A. Yes. 15:57:22  Q. Okay. You can set that aside. 15:57:23  Now, as we discussed, in 15:57:25 addition to algorithms, you had checklists 15:57:34 that you were working on at the same time 15:57:38 with respect to new and current customers, 15:57:39 correct? 15:57:41  A. Correct. 15:57:41  (Mallinckrodt-Harper Exhibit 19 15:57:48 marked for identification.) 15:57:48  QUESTIONS BY MR. KO: 15:57:48	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Is that consistent with how 15:59:03 this e-mail reads? 15:59:05  MR. O'CONNOR: Object to form. 15:59:06 THE WITNESS: Yes. 15:59:06  QUESTIONS BY MR. KO: 15:59:09  Was confusion surrounding this particular 15:59:10 version of the customer checklist, for any 15:59:13 customers that were put on hold at that time, 15:59:18 she had recommended putting them off of hold 15:59:19 and releasing orders; is that correct? 15:59:22  A. Yes. 15:59:25  MR. O'CONNOR: Object to form. 15:59:26  QUESTIONS BY MR. KO: 15:59:27  Q. You can set that one aside. 15:59:37 marked for identification.) 15:59:37  QUESTIONS BY MR. KO: 15:59:37  Q. I'm going to hand you a copy of 15:59:38 what's going to be marked as Harper 15:59:39
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Did I read that correctly? 15:57:07  A. Yes. 15:57:08  Q. Okay. And is it accurate to 15:57:09 say that as of April 29, 2010, it's your 15:57:12 understanding that Mr. Rausch is still making 15:57:16 judgment calls on peculiar orders that he is 15:57:19 not comfortable with? 15:57:21  A. Yes. 15:57:22  Q. Okay. You can set that aside. 15:57:23  Now, as we discussed, in 15:57:25 addition to algorithms, you had checklists 15:57:34 that you were working on at the same time 15:57:38 with respect to new and current customers, 15:57:39 correct? 15:57:41  A. Correct. 15:57:41  (Mallinckrodt-Harper Exhibit 19 15:57:48 marked for identification.) 15:57:48  QUESTIONS BY MR. KO: 15:57:48 what's going to be marked as Harper 15:57:49 Exhibit 19, and it ends in Bates 301020. 15:57:51	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Is that consistent with how 15:59:03 this e-mail reads? 15:59:05  MR. O'CONNOR: Object to form. 15:59:06 THE WITNESS: Yes. 15:59:06 QUESTIONS BY MR. KO: 15:59:09  Q. So in other words, while there 15:59:09 was confusion surrounding this particular 15:59:10 version of the customer checklist, for any 15:59:13 customers that were put on hold at that time, 15:59:18 she had recommended putting them off of hold 15:59:19 and releasing orders; is that correct? 15:59:22  A. Yes. 15:59:25  MR. O'CONNOR: Object to form. 15:59:26 QUESTIONS BY MR. KO: 15:59:27 Q. You can set that one aside. 15:59:28  (Mallinckrodt-Harper Exhibit 20 15:59:37 marked for identification.) 15:59:37 QUESTIONS BY MR. KO: 15:59:37  QUESTIONS BY MR. KO: 15:59:38 what's going to be marked as Harper 15:59:39 Exhibit 20. 15:59:40  For the record, this ends in 15:59:42
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Did I read that correctly? 15:57:07  A. Yes. 15:57:08  Q. Okay. And is it accurate to 15:57:09 say that as of April 29, 2010, it's your 15:57:12 understanding that Mr. Rausch is still making 15:57:16 judgment calls on peculiar orders that he is 15:57:19 not comfortable with? 15:57:21  A. Yes. 15:57:22  Q. Okay. You can set that aside. 15:57:23  Now, as we discussed, in 15:57:25 addition to algorithms, you had checklists 15:57:34 that you were working on at the same time 15:57:38 with respect to new and current customers, 15:57:39 correct? 15:57:41  A. Correct. 15:57:41  (Mallinckrodt-Harper Exhibit 19 15:57:48 marked for identification.) 15:57:48  Q. I'm going to hand you a copy of 15:57:48 what's going to be marked as Harper 15:57:49 Exhibit 19, and it ends in Bates 301020. 15:57:51  And this is a July 22, 2009 15:57:58	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Is that consistent with how 15:59:03 this e-mail reads? 15:59:05  MR. O'CONNOR: Object to form. 15:59:06 THE WITNESS: Yes. 15:59:06  QUESTIONS BY MR. KO: 15:59:09  Q. So in other words, while there 15:59:09 was confusion surrounding this particular 15:59:10 version of the customer checklist, for any 15:59:13 customers that were put on hold at that time, 15:59:18 she had recommended putting them off of hold 15:59:19 and releasing orders; is that correct? 15:59:22  A. Yes. 15:59:25  MR. O'CONNOR: Object to form. 15:59:26  QUESTIONS BY MR. KO: 15:59:27  Q. You can set that one aside. 15:59:37 marked for identification.) 15:59:37  QUESTIONS BY MR. KO: 15:59:37  QUESTIONS BY MR. KO: 15:59:37  QUESTIONS BY MR. KO: 15:59:37  Exhibit 20. 15:59:40  For the record, this ends in 15:59:42  Bates stamp 372333. 15:59:44
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Did I read that correctly? 15:57:07  A. Yes. 15:57:08  Q. Okay. And is it accurate to 15:57:09 say that as of April 29, 2010, it's your 15:57:12 understanding that Mr. Rausch is still making 15:57:16 judgment calls on peculiar orders that he is 15:57:19 not comfortable with? 15:57:21  A. Yes. 15:57:22  Q. Okay. You can set that aside. 15:57:23  Now, as we discussed, in 15:57:25 addition to algorithms, you had checklists 15:57:34 that you were working on at the same time 15:57:38 with respect to new and current customers, 15:57:39 correct? 15:57:41  A. Correct. 15:57:41  (Mallinckrodt-Harper Exhibit 19 15:57:48 marked for identification.) 15:57:48  QUESTIONS BY MR. KO: 15:57:48 what's going to be marked as Harper 15:57:49 Exhibit 19, and it ends in Bates 301020. 15:57:51	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Is that consistent with how 15:59:03 this e-mail reads? 15:59:05  MR. O'CONNOR: Object to form. 15:59:06 THE WITNESS: Yes. 15:59:06 QUESTIONS BY MR. KO: 15:59:09  Q. So in other words, while there 15:59:09 was confusion surrounding this particular 15:59:10 version of the customer checklist, for any 15:59:13 customers that were put on hold at that time, 15:59:18 she had recommended putting them off of hold 15:59:19 and releasing orders; is that correct? 15:59:22  A. Yes. 15:59:25  MR. O'CONNOR: Object to form. 15:59:26 QUESTIONS BY MR. KO: 15:59:27 Q. You can set that one aside. 15:59:28  (Mallinckrodt-Harper Exhibit 20 15:59:37 marked for identification.) 15:59:37 QUESTIONS BY MR. KO: 15:59:37  QUESTIONS BY MR. KO: 15:59:38 what's going to be marked as Harper 15:59:39 Exhibit 20. 15:59:40  For the record, this ends in 15:59:42

	Page 350		Page 352
1	the on February 11, 2011; is that 15:59:56	1	A. Yes. 16:01:47
2	accurate? 15:59:59	2	Q. And in some instances, you 16:01:48
3	A. Yes. 16:00:00	3	never actually in fact received the 16:01:50
4	Q. Okay. And I want to focus on 16:00:05	4	checklist, correct? 16:01:53
5	the second e-mail down in the chain that you 16:00:09	5	A. I believe this says during the 16:01:53
6	draft to Ms. Spaulding regarding the customer 16:00:13	6	renewal. 16:01:56
7	checklist. 16:00:20	7	Q. Yeah. 16:01:58
8	Do you see where you have 16:00:21	8	During the renewal time period, 16:01:59
9	indicated that you have discovered a 16:00:23	9	CDIG does nothing if the SOM customer 16:02:01
10	disconnect in the system? 16:00:25	10	checklist is ever returned; is that correct? 16:02:05
11	A. I do. 16:00:26	11	A. So customers would have sent in 16:02:07
12	Q. And you're talking about the 16:00:27	12	an initial checklist, but then this is the 16:02:13
13	system of the customer checklist, correct? 16:00:28	13	annual update that they may not have turned 16:02:17
14	A. Yes. 16:00:30	14	in, and CDIG may not have caught that fact, 16:02:19
15	Q. And you indicate that, quote, 16:00:31	15	yes. 16:02:20
16	"We have significant gaps in that although 16:00:35	16	Q. All right. So they may have 16:02:20
17	CDIG send out the annual update SOM customer 16:00:40	17	turned in a checklist at one point in time, 16:02:21
18	checklist, when the system indicates customer 16:00:44	18	but the requirement and the expectation 16:02:24
19	account DEA registration is nearing renewal 16:00:48	19	certainly was that they would turn in at 16:02:26
20	time, they do nothing if the SOM customer 16:00:51	20	least an annual checklist as well, correct? 16:02:27
21	checklist is not ever returned by the 16:00:54	21	MR. O'CONNOR: Object to form. 16:02:30
22	customer." 16:00:56	22	THE WITNESS: Yes. 16:02:30
23	Did I read that correctly? 16:00:57	23	QUESTIONS BY MR. KO: 16:02:31
24	A. Yes. 16:00:57	24	Q. And that wasn't always 16:02:31
25	Q. Okay. And CDIG basically 16:00:59	25	happening as of 2011, correct? 16:02:32
	D 251		D 252
	Page 351		Page 353
1	CDIG stands for customer data integrity 16:01:03	1	A. Correct. 16:02:33
2	group, correct? 16:01:06  A. Correct. 16:01:07	2	Q. And so would you say that 16:02:34
3 4		3	we'll move on. You can set that aside. 16:02:42
5	Q. And they had some involvement 16:01:07 in the SOM procedure, in particular the 16:01:08	4 5	Thank you. 16:02:44  Now, earlier we were discussing 16:02:53
	in the SOM procedure, in particular the 10.01.06	5	Now, earlier we were discussing 10.02.33
6	austomar abaddist garragt? 16:01:11	6	ahargahaala 16,00,55
7	customer checklist, correct? 16:01:11	6	chargebacks. 16:02:55
7	A. Yes. 16:01:12	7	Do you recall that? 16:02:55
8	A. Yes. 16:01:12 Q. But if I understand this e-mail 16:01:13	7 8	Do you recall that? 16:02:55 A. Yes. 16:02:56
8 9	A. Yes. 16:01:12  Q. But if I understand this e-mail 16:01:13 correctly, is it accurate to say that as of 16:01:16	7 8 9	Do you recall that? 16:02:55  A. Yes. 16:02:56  Q. Do you remember when you first 16:02:57
8 9 10	A. Yes. 16:01:12  Q. But if I understand this e-mail 16:01:13  correctly, is it accurate to say that as of 16:01:16  February of 2011 you were you discovered 16:01:19	7 8 9 10	Do you recall that? 16:02:55  A. Yes. 16:02:56  Q. Do you remember when you first 16:02:57 started looking into utilization of 16:03:01
8 9 10 11	A. Yes. 16:01:12  Q. But if I understand this e-mail 16:01:13  correctly, is it accurate to say that as of 16:01:16  February of 2011 you were you discovered 16:01:19  that all SOM customer checklists were not 16:01:24	7 8 9 10 11	Do you recall that? 16:02:55  A. Yes. 16:02:56  Q. Do you remember when you first 16:02:57 started looking into utilization of 16:03:01 chargebacks or chargeback data to 16:03:04
8 9 10 11 12	A. Yes. 16:01:12  Q. But if I understand this e-mail 16:01:13  correctly, is it accurate to say that as of 16:01:16  February of 2011 you were you discovered 16:01:19  that all SOM customer checklists were not 16:01:24  actually being returned by the customers, 16:01:28	7 8 9 10 11	Do you recall that? 16:02:55  A. Yes. 16:02:56  Q. Do you remember when you first 16:02:57 started looking into utilization of 16:03:01 chargebacks or chargeback data to 16:03:04 understand the details of where your pills, 16:03:09
8 9 10 11 12 13	A. Yes. 16:01:12  Q. But if I understand this e-mail 16:01:13 correctly, is it accurate to say that as of 16:01:16 February of 2011 you were you discovered 16:01:19 that all SOM customer checklists were not 16:01:24 actually being returned by the customers, 16:01:28 correct? 16:01:30	7 8 9 10 11 12	Do you recall that? 16:02:55  A. Yes. 16:02:56  Q. Do you remember when you first 16:02:57 started looking into utilization of 16:03:01 chargebacks or chargeback data to 16:03:04 understand the details of where your pills, 16:03:09 Mallinckrodt pills, were going? 16:03:12
8 9 10 11 12 13 14	A. Yes. 16:01:12 Q. But if I understand this e-mail 16:01:13 correctly, is it accurate to say that as of 16:01:16 February of 2011 you were you discovered 16:01:19 that all SOM customer checklists were not 16:01:24 actually being returned by the customers, 16:01:28 correct? 16:01:30 MR. O'CONNOR: Object to form. 16:01:30	7 8 9 10 11 12 13	Do you recall that? 16:02:55  A. Yes. 16:02:56  Q. Do you remember when you first 16:02:57 started looking into utilization of 16:03:01 chargebacks or chargeback data to 16:03:04 understand the details of where your pills, 16:03:09 Mallinckrodt pills, were going? 16:03:12 MR. O'CONNOR: Object to form. 16:03:13
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8 9 10 11 12 13 14 15 16	A. Yes. 16:01:12  Q. But if I understand this e-mail 16:01:13 correctly, is it accurate to say that as of 16:01:16 February of 2011 you were you discovered 16:01:19 that all SOM customer checklists were not 16:01:24 actually being returned by the customers, 16:01:28 correct? 16:01:30  MR. O'CONNOR: Object to form. 16:01:30 THE WITNESS: Yes. 16:01:31 QUESTIONS BY MR. KO: 16:01:31	7 8 9 10 11 12 13 14 15	Do you recall that? 16:02:55  A. Yes. 16:02:56  Q. Do you remember when you first 16:02:57 started looking into utilization of 16:03:01 chargebacks or chargeback data to 16:03:04 understand the details of where your pills, 16:03:09 Mallinckrodt pills, were going? 16:03:12  MR. O'CONNOR: Object to form. 16:03:13 THE WITNESS: Yes. 16:03:14 QUESTIONS BY MR. KO: 16:03:15
8 9 10 11 12 13 14 15 16 17	A. Yes. 16:01:12  Q. But if I understand this e-mail 16:01:13 correctly, is it accurate to say that as of 16:01:16 February of 2011 you were you discovered 16:01:19 that all SOM customer checklists were not 16:01:24 actually being returned by the customers, 16:01:28 correct? 16:01:30  MR. O'CONNOR: Object to form. 16:01:31 THE WITNESS: Yes. 16:01:31 QUESTIONS BY MR. KO: 16:01:31 Q. You would agree that this is a 16:01:32	7 8 9 10 11 12 13 14 15 16	Do you recall that? 16:02:55  A. Yes. 16:02:56  Q. Do you remember when you first 16:02:57 started looking into utilization of 16:03:01 chargebacks or chargeback data to 16:03:04 understand the details of where your pills, 16:03:09 Mallinckrodt pills, were going? 16:03:12 MR. O'CONNOR: Object to form. 16:03:13 THE WITNESS: Yes. 16:03:14 QUESTIONS BY MR. KO: 16:03:15 Q. And when was that? 16:03:15
8 9 10 11 12 13 14 15 16 17	A. Yes. 16:01:12  Q. But if I understand this e-mail 16:01:13  correctly, is it accurate to say that as of 16:01:16  February of 2011 you were you discovered 16:01:19  that all SOM customer checklists were not 16:01:24  actually being returned by the customers, 16:01:28  correct? 16:01:30  MR. O'CONNOR: Object to form. 16:01:31  QUESTIONS BY MR. KO: 16:01:31  Q. You would agree that this is a 16:01:32  significant gap in the review system, would 16:01:33	7 8 9 10 11 12 13 14 15 16 17	Do you recall that? 16:02:55  A. Yes. 16:02:56  Q. Do you remember when you first 16:02:57 started looking into utilization of 16:03:01 chargebacks or chargeback data to 16:03:04 understand the details of where your pills, 16:03:09 Mallinckrodt pills, were going? 16:03:12  MR. O'CONNOR: Object to form. 16:03:13 THE WITNESS: Yes. 16:03:14 QUESTIONS BY MR. KO: 16:03:15 Q. And when was that? 16:03:15 A. I believe it was within the 16:03:16
8 9 10 11 12 13 14 15 16 17 18	A. Yes. 16:01:12  Q. But if I understand this e-mail 16:01:13 correctly, is it accurate to say that as of 16:01:16 February of 2011 you were you discovered 16:01:19 that all SOM customer checklists were not 16:01:24 actually being returned by the customers, 16:01:28 correct? 16:01:30  MR. O'CONNOR: Object to form. 16:01:30 THE WITNESS: Yes. 16:01:31 QUESTIONS BY MR. KO: 16:01:31 Q. You would agree that this is a 16:01:32 significant gap in the review system, would 16:01:33 you not? 16:01:36	7 8 9 10 11 12 13 14 15 16 17 18	Do you recall that? 16:02:55  A. Yes. 16:02:56  Q. Do you remember when you first 16:02:57 started looking into utilization of 16:03:01 chargebacks or chargeback data to 16:03:04 understand the details of where your pills, 16:03:09 Mallinckrodt pills, were going? 16:03:12  MR. O'CONNOR: Object to form. 16:03:13 THE WITNESS: Yes. 16:03:14 QUESTIONS BY MR. KO: 16:03:15 Q. And when was that? 16:03:15 A. I believe it was within the 16:03:16 scope of our involvement in the Sunrise 16:03:19
8 9 10 11 12 13 14 15 16 17 18 19 20	A. Yes. 16:01:12 Q. But if I understand this e-mail 16:01:13 correctly, is it accurate to say that as of 16:01:16 February of 2011 you were you discovered 16:01:19 that all SOM customer checklists were not 16:01:24 actually being returned by the customers, 16:01:28 correct? 16:01:30  MR. O'CONNOR: Object to form. 16:01:30 THE WITNESS: Yes. 16:01:31 QUESTIONS BY MR. KO: 16:01:31 Q. You would agree that this is a 16:01:32 significant gap in the review system, would 16:01:33 you not? 16:01:36 A. It's a gap yes. In this 16:01:37	7 8 9 10 11 12 13 14 15 16 17 18 19	Do you recall that? 16:02:55  A. Yes. 16:02:56  Q. Do you remember when you first 16:02:57 started looking into utilization of 16:03:01 chargebacks or chargeback data to 16:03:04 understand the details of where your pills, 16:03:09 Mallinckrodt pills, were going? 16:03:12 MR. O'CONNOR: Object to form. 16:03:13 THE WITNESS: Yes. 16:03:14 QUESTIONS BY MR. KO: 16:03:15 Q. And when was that? 16:03:15 A. I believe it was within the 16:03:16 scope of our involvement in the Sunrise 16:03:19 investigation. 16:03:23
8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Yes. 16:01:12 Q. But if I understand this e-mail 16:01:13 correctly, is it accurate to say that as of 16:01:16 February of 2011 you were you discovered 16:01:19 that all SOM customer checklists were not 16:01:24 actually being returned by the customers, 16:01:28 correct? 16:01:30  MR. O'CONNOR: Object to form. 16:01:30 THE WITNESS: Yes. 16:01:31 QUESTIONS BY MR. KO: 16:01:31 Q. You would agree that this is a 16:01:32 significant gap in the review system, would 16:01:33 you not? 16:01:36  A. It's a gap yes. In this 16:01:37 component of the review system, yes, it is a 16:01:41	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Do you recall that? 16:02:55  A. Yes. 16:02:56  Q. Do you remember when you first 16:02:57 started looking into utilization of 16:03:01 chargebacks or chargeback data to 16:03:04 understand the details of where your pills, 16:03:09 Mallinckrodt pills, were going? 16:03:12  MR. O'CONNOR: Object to form. 16:03:13 THE WITNESS: Yes. 16:03:14 QUESTIONS BY MR. KO: 16:03:15 Q. And when was that? 16:03:15 A. I believe it was within the 16:03:16 scope of our involvement in the Sunrise 16:03:19 investigation. 16:03:23 Q. Okay. And that was in the 2009 16:03:23
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Yes. 16:01:12  Q. But if I understand this e-mail 16:01:13 correctly, is it accurate to say that as of 16:01:16 February of 2011 you were you discovered 16:01:19 that all SOM customer checklists were not 16:01:24 actually being returned by the customers, 16:01:28 correct? 16:01:30  MR. O'CONNOR: Object to form. 16:01:30 THE WITNESS: Yes. 16:01:31 QUESTIONS BY MR. KO: 16:01:31 Q. You would agree that this is a 16:01:32 significant gap in the review system, would 16:01:33 you not? 16:01:36  A. It's a gap yes. In this 16:01:37 component of the review system, yes, it is a 16:01:41 gap. 16:01:43	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Do you recall that? 16:02:55  A. Yes. 16:02:56  Q. Do you remember when you first 16:02:57 started looking into utilization of 16:03:01 chargebacks or chargeback data to 16:03:04 understand the details of where your pills, 16:03:09 Mallinckrodt pills, were going? 16:03:12 MR. O'CONNOR: Object to form. 16:03:13 THE WITNESS: Yes. 16:03:14 QUESTIONS BY MR. KO: 16:03:15 Q. And when was that? 16:03:15 A. I believe it was within the 16:03:16 scope of our involvement in the Sunrise 16:03:19 investigation. 16:03:23 Q. Okay. And that was in the 2009 16:03:23 time period? 16:03:26
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Yes. 16:01:12 Q. But if I understand this e-mail 16:01:13 correctly, is it accurate to say that as of 16:01:16 February of 2011 you were you discovered 16:01:19 that all SOM customer checklists were not 16:01:24 actually being returned by the customers, 16:01:28 correct? 16:01:30  MR. O'CONNOR: Object to form. 16:01:30 THE WITNESS: Yes. 16:01:31 QUESTIONS BY MR. KO: 16:01:31 Q. You would agree that this is a 16:01:32 significant gap in the review system, would 16:01:33 you not? 16:01:36  A. It's a gap yes. In this 16:01:37 component of the review system, yes, it is a 16:01:41 gap. 16:01:43  Q. Because you relied on the 16:01:43	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Do you recall that? 16:02:55  A. Yes. 16:02:56  Q. Do you remember when you first 16:02:57 started looking into utilization of 16:03:01 chargebacks or chargeback data to 16:03:04 understand the details of where your pills, 16:03:09 Mallinckrodt pills, were going? 16:03:12 MR. O'CONNOR: Object to form. 16:03:13 THE WITNESS: Yes. 16:03:14 QUESTIONS BY MR. KO: 16:03:15 Q. And when was that? 16:03:15 A. I believe it was within the 16:03:16 scope of our involvement in the Sunrise 16:03:19 investigation. 16:03:23 Q. Okay. And that was in the 2009 16:03:23 time period? 16:03:26 A. I don't remember the I'm 16:03:27
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Yes. 16:01:12  Q. But if I understand this e-mail 16:01:13 correctly, is it accurate to say that as of 16:01:16 February of 2011 you were you discovered 16:01:19 that all SOM customer checklists were not 16:01:24 actually being returned by the customers, 16:01:28 correct? 16:01:30  MR. O'CONNOR: Object to form. 16:01:30 THE WITNESS: Yes. 16:01:31 QUESTIONS BY MR. KO: 16:01:31 Q. You would agree that this is a 16:01:32 significant gap in the review system, would 16:01:33 you not? 16:01:36  A. It's a gap yes. In this 16:01:37 component of the review system, yes, it is a 16:01:41 gap. 16:01:43	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Do you recall that? 16:02:55  A. Yes. 16:02:56  Q. Do you remember when you first 16:02:57 started looking into utilization of 16:03:01 chargebacks or chargeback data to 16:03:04 understand the details of where your pills, 16:03:09 Mallinckrodt pills, were going? 16:03:12 MR. O'CONNOR: Object to form. 16:03:13 THE WITNESS: Yes. 16:03:14 QUESTIONS BY MR. KO: 16:03:15 Q. And when was that? 16:03:15 A. I believe it was within the 16:03:16 scope of our involvement in the Sunrise 16:03:19 investigation. 16:03:23 Q. Okay. And that was in the 2009 16:03:23 time period? 16:03:26

	Page 354		Page 356
1	(Mallinckrodt-Harper Exhibit 21 16:03:33	1	
2	marked for identification.) 16:03:34	2	Do you see that? 16:06:07
3	QUESTIONS BY MR. KO: 16:03:34	3	A. Yes. 16:06:07
4	Q. Okay. I'm going to hand you a 16:03:34	4	Q. Okay. And Mr. Burd's response 16:06:07
5	copy of what's going to be marked as Harper 16:03:35	5	is, "Okay, I'll start to look into it. Yeah, 16:06:12
6	Exhibit 21. 16:03:37	6	it would be through chargebacks." 16:06:16
7	A. Okay. 16:03:39	7	Do you see that portion of the 16:06:18
8	Q. And this is an e-mail chain 16:03:39	8	e-mail? 16:06:20
9	involving you, among other people, in the 16:03:58	9	A. I do. 16:06:20
10	April 17, 2007 time period; is that accurate? 16:04:03	10	Q. So is it fair to say that this 16:06:20
11	A. Yes. 16:04:06	11	e-mail chain reflects an understanding by 16:06:22
12	Q. And I don't believe I 16:04:08	12	Mallinckrodt employees that they could 16:06:27
13	identified this document, but it ends in 16:04:09	13	utilize chargebacks to understand where 16:06:30
14	Bates 7728295. 16:04:14	14	Mallinckrodt-manufactured pills were ending 16:06:32
15	Starting with the second to the 16:04:17	15	up? 16:06:36
16	last e-mail at the bottom of this chain from 16:04:31	16	A. Yes. 16:06:36
17	Vince Kaiman to Jeff Burd in which you are 16:04:33	17	Q. And the date of this e-mail is 16:06:36
18	cc'd, as of 2:47 let's start there. 16:04:38	18	April 17, 2007, correct? 16:06:38
19	First of all, who's Vince 16:04:43	19	A. Correct. 16:06:39
20	Kaiman? 16:04:45	20	Q. And you were on this e-mail 16:06:40
21	A. He was director or vice 16:04:45	21	chain? 16:06:43
22	president of commercial group at that time. 16:04:48	22	A. Correct. 16:06:43
23	Q. Okay. And he is inquiring in 16:04:53	23	Q. Okay. And I want to pay I 16:06:44
24	an e-mail exchange with Jeff Burd whether or 16:04:57	24	want to turn your attention to the top of 16:06:52
25	not Jeff can also find out of the 16:05:02	25	this e-mail in which Jeff Burd by the way, 16:06:54
23	not jen can also find out of the	23	uns e-man in winen sen burd - by the way, 10.00.34
	Page 355		Page 357
1	40-milligram sales into the channel, how much 16:05:06	1 -	1 ' I CCD 10 1c 0c 50
	_	1	
2	of it ends up in clinics. 16:05:08	2	A. He was in commercial group, but 16:06:59
2	of it ends up in clinics. 16:05:08  Do you see that portion of the 16:05:13		A. He was in commercial group, but 16:06:59 I believe he was on the branded side. I 16:07:00
	of it ends up in clinics. 16:05:08	2	A. He was in commercial group, but 16:06:59
3	of it ends up in clinics. 16:05:08  Do you see that portion of the 16:05:13	2	A. He was in commercial group, but 16:06:59 I believe he was on the branded side. I 16:07:00
3	of it ends up in clinics. 16:05:08  Do you see that portion of the 16:05:13 e-mail I'm referencing? 16:05:14	2 3 4	A. He was in commercial group, but 16:06:59 I believe he was on the branded side. I 16:07:00 didn't have any interaction with him. 16:07:02
3 4 5	of it ends up in clinics. 16:05:08  Do you see that portion of the 16:05:13 e-mail I'm referencing? 16:05:14 A. Yes. 16:05:15	2 3 4 5	A. He was in commercial group, but 16:06:59 I believe he was on the branded side. I 16:07:00 didn't have any interaction with him. 16:07:02 Q. Sure. 16:07:03
3 4 5 6	of it ends up in clinics. 16:05:08  Do you see that portion of the 16:05:13 e-mail I'm referencing? 16:05:14  A. Yes. 16:05:15 Q. So in other words, Vince is 16:05:18	2 3 4 5 6	A. He was in commercial group, but 16:06:59 I believe he was on the branded side. I 16:07:00 didn't have any interaction with him. 16:07:02 Q. Sure. 16:07:03 And Mr. Burd, who appears was a 16:07:04
3 4 5 6 7	of it ends up in clinics. 16:05:08  Do you see that portion of the 16:05:13 e-mail I'm referencing? 16:05:14  A. Yes. 16:05:15 Q. So in other words, Vince is 16:05:18 asking and the 40-milligram sales is a 16:05:20	2 3 4 5 6 7	A. He was in commercial group, but 16:06:59 I believe he was on the branded side. I 16:07:00 didn't have any interaction with him. 16:07:02 Q. Sure. 16:07:03 And Mr. Burd, who appears was a 16:07:04 senior marketing manager, he is he 16:07:08
3 4 5 6 7 8	of it ends up in clinics. 16:05:08  Do you see that portion of the 16:05:13 e-mail I'm referencing? 16:05:14  A. Yes. 16:05:15 Q. So in other words, Vince is 16:05:18 asking and the 40-milligram sales is a 16:05:20 reference to the methadone 40 milligrams, 16:05:22	2 3 4 5 6 7 8	A. He was in commercial group, but 16:06:59 I believe he was on the branded side. I 16:07:00 didn't have any interaction with him. 16:07:02 Q. Sure. 16:07:03 And Mr. Burd, who appears was a 16:07:04 senior marketing manager, he is he 16:07:08 indicates that, "Well, we were able to get at 16:07:11
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3 4 5 6 7 8 9 10 11 12 13 14 15 16	of it ends up in clinics.  Do you see that portion of the 16:05:13 e-mail I'm referencing? 16:05:14  A. Yes. 16:05:15 Q. So in other words, Vince is 16:05:18 asking and the 40-milligram sales is a 16:05:20 reference to the methadone 40 milligrams, 16:05:22 correct? 16:05:24 A. Yes. 16:05:25 Q. Manufactured by Mallinckrodt? 16:05:25 A. Yes. 16:05:27 Q. And he is trying to determine 16:05:28 where those Mallinckrodt pills ends up in 16:05:31 clinics. 16:05:37 Is that a fair characterization 16:05:39	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. He was in commercial group, but 16:06:59 I believe he was on the branded side. I 16:07:00 didn't have any interaction with him. 16:07:02 Q. Sure. 16:07:03 And Mr. Burd, who appears was a 16:07:04 senior marketing manager, he is he 16:07:08 indicates that, "Well, we were able to get at 16:07:11 this data quicker than I expected, with 16:07:14 Kate's help." 16:07:17 Do you see that? 16:07:18 A. I do. 16:07:19 Q. So is it a fair 16:07:19 characterization of this e-mail that he was 16:07:21 able to obtain the chargeback data a lot 16:07:22 quicker than he had expected? 16:07:26 MR. O'CONNOR: Object to form. 16:07:27
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3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	of it ends up in clinics.  Do you see that portion of the 16:05:13 e-mail I'm referencing? 16:05:14  A. Yes. 16:05:15 Q. So in other words, Vince is 16:05:18 asking and the 40-milligram sales is a 16:05:20 reference to the methadone 40 milligrams, 16:05:22 correct? 16:05:24 A. Yes. 16:05:25 Q. Manufactured by Mallinckrodt? 16:05:25 A. Yes. 16:05:27 Q. And he is trying to determine 16:05:28 where those Mallinckrodt pills ends up in 16:05:31 clinics. 16:05:37 of the question he's asking Jeff? 16:05:39 MR. O'CONNOR: Object to form. 16:05:41 THE WITNESS: It's how many end 16:05:41	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. He was in commercial group, but 16:06:59 I believe he was on the branded side. I 16:07:00 didn't have any interaction with him. 16:07:02 Q. Sure. 16:07:03 And Mr. Burd, who appears was a 16:07:04 senior marketing manager, he is he 16:07:08 indicates that, "Well, we were able to get at 16:07:11 this data quicker than I expected, with 16:07:14 Kate's help." 16:07:17 Do you see that? 16:07:19 A. I do. 16:07:19 Q. So is it a fair 16:07:19 characterization of this e-mail that he was 16:07:21 able to obtain the chargeback data a lot 16:07:22 quicker than he had expected? 16:07:26 MR. O'CONNOR: Object to form. 16:07:27 THE WITNESS: Yes. 16:07:28 QUESTIONS BY MR. KO: 16:07:28
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	of it ends up in clinics.  Do you see that portion of the 16:05:13 e-mail I'm referencing? 16:05:14  A. Yes. 16:05:15 Q. So in other words, Vince is 16:05:18 asking and the 40-milligram sales is a 16:05:20 reference to the methadone 40 milligrams, 16:05:22 correct? 16:05:24 A. Yes. 16:05:25 Q. Manufactured by Mallinckrodt? 16:05:25 A. Yes. 16:05:27 Q. And he is trying to determine 16:05:28 where those Mallinckrodt pills ends up in 16:05:31 clinics. 16:05:37 Is that a fair characterization 16:05:39 MR. O'CONNOR: Object to form. 16:05:41 THE WITNESS: It's how many end 16:05:41 up in clinics versus retail. 16:05:43	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. He was in commercial group, but 16:06:59 I believe he was on the branded side. I 16:07:00 didn't have any interaction with him. 16:07:02 Q. Sure. 16:07:03 And Mr. Burd, who appears was a 16:07:04 senior marketing manager, he is he 16:07:08 indicates that, "Well, we were able to get at 16:07:11 this data quicker than I expected, with 16:07:14 Kate's help." 16:07:17 Do you see that? 16:07:18 A. I do. 16:07:19 Q. So is it a fair 16:07:19 characterization of this e-mail that he was 16:07:21 able to obtain the chargeback data a lot 16:07:22 quicker than he had expected? 16:07:26 MR. O'CONNOR: Object to form. 16:07:27 THE WITNESS: Yes. 16:07:28 QUESTIONS BY MR. KO: 16:07:29
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	of it ends up in clinics.  Do you see that portion of the 16:05:13 e-mail I'm referencing? 16:05:14  A. Yes. 16:05:15 Q. So in other words, Vince is 16:05:18 asking and the 40-milligram sales is a 16:05:20 reference to the methadone 40 milligrams, 16:05:22 correct? 16:05:24  A. Yes. 16:05:25 Q. Manufactured by Mallinckrodt? 16:05:25 A. Yes. 16:05:27 Q. And he is trying to determine 16:05:28 where those Mallinckrodt pills ends up in 16:05:31 clinics. 16:05:37 Is that a fair characterization 16:05:37 of the question he's asking Jeff? 16:05:39  MR. O'CONNOR: Object to form. 16:05:41 THE WITNESS: It's how many end 16:05:41 up in clinics versus retail. 16:05:43 QUESTIONS BY MR. KO: 16:05:46	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. He was in commercial group, but 16:06:59 I believe he was on the branded side. I 16:07:00 didn't have any interaction with him. 16:07:02 Q. Sure. 16:07:03 And Mr. Burd, who appears was a 16:07:04 senior marketing manager, he is he 16:07:08 indicates that, "Well, we were able to get at 16:07:11 this data quicker than I expected, with 16:07:14 Kate's help." 16:07:17 Do you see that? 16:07:19 Q. So is it a fair 16:07:19 Q. So is it a fair 16:07:19 characterization of this e-mail that he was 16:07:21 able to obtain the chargeback data a lot 16:07:22 quicker than he had expected? 16:07:26 MR. O'CONNOR: Object to form. 16:07:27 THE WITNESS: Yes. 16:07:28 QUESTIONS BY MR. KO: 16:07:29 timestamp, it looks like it takes him 16:07:30
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	of it ends up in clinics.  Do you see that portion of the 16:05:13 e-mail I'm referencing? 16:05:14  A. Yes. 16:05:15 Q. So in other words, Vince is 16:05:18 asking and the 40-milligram sales is a 16:05:20 reference to the methadone 40 milligrams, 16:05:22 correct? 16:05:24 A. Yes. 16:05:25 Q. Manufactured by Mallinckrodt? 16:05:25 A. Yes. 16:05:27 Q. And he is trying to determine 16:05:28 where those Mallinckrodt pills ends up in 16:05:31 clinics. 16:05:37 Is that a fair characterization 16:05:37 of the question he's asking Jeff? 16:05:39 MR. O'CONNOR: Object to form. 16:05:41 THE WITNESS: It's how many end 16:05:41 up in clinics versus retail. 16:05:43 QUESTIONS BY MR. KO: 16:05:47	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. He was in commercial group, but 16:06:59 I believe he was on the branded side. I 16:07:00 didn't have any interaction with him. 16:07:02 Q. Sure. 16:07:03 And Mr. Burd, who appears was a 16:07:04 senior marketing manager, he is he 16:07:08 indicates that, "Well, we were able to get at 16:07:11 this data quicker than I expected, with 16:07:14 Kate's help." 16:07:17 Do you see that? 16:07:19 Q. So is it a fair 16:07:19 Q. So is it a fair 16:07:19 characterization of this e-mail that he was 16:07:21 able to obtain the chargeback data a lot 16:07:22 quicker than he had expected? 16:07:26 MR. O'CONNOR: Object to form. 16:07:27 THE WITNESS: Yes. 16:07:28 QUESTIONS BY MR. KO: 16:07:29 timestamp, it looks like it takes him 16:07:30 certainly the same day, but he responds 16:07:33
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	of it ends up in clinics.  Do you see that portion of the 16:05:13 e-mail I'm referencing? 16:05:14  A. Yes. 16:05:15 Q. So in other words, Vince is 16:05:18 asking and the 40-milligram sales is a 16:05:20 reference to the methadone 40 milligrams, 16:05:22 correct? 16:05:24 A. Yes. 16:05:25 Q. Manufactured by Mallinckrodt? 16:05:25 A. Yes. 16:05:27 Q. And he is trying to determine 16:05:28 where those Mallinckrodt pills ends up in 16:05:31 clinics. 16:05:37 Is that a fair characterization 16:05:37 of the question he's asking Jeff? 16:05:39  MR. O'CONNOR: Object to form. 16:05:41 THE WITNESS: It's how many end 16:05:41 up in clinics versus retail. 16:05:43 QUESTIONS BY MR. KO: 16:05:46 Q. Okay. And there's some 16:05:47 discussion back and forth about how one might 16:05:52	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. He was in commercial group, but 16:06:59 I believe he was on the branded side. I 16:07:00 didn't have any interaction with him. 16:07:02 Q. Sure. 16:07:03 And Mr. Burd, who appears was a 16:07:04 senior marketing manager, he is he 16:07:08 indicates that, "Well, we were able to get at 16:07:11 this data quicker than I expected, with 16:07:14 Kate's help." 16:07:17 Do you see that? 16:07:18 A. I do. 16:07:19 Q. So is it a fair 16:07:19 characterization of this e-mail that he was 16:07:21 able to obtain the chargeback data a lot 16:07:22 quicker than he had expected? 16:07:26 MR. O'CONNOR: Object to form. 16:07:27 THE WITNESS: Yes. 16:07:28 QUESTIONS BY MR. KO: 16:07:29 timestamp, it looks like it takes him 16:07:30 certainly the same day, but he responds 16:07:33 within six hours of when he says he will look 16:07:35
3 4 5 6 7 8	of it ends up in clinics.  Do you see that portion of the 16:05:13 e-mail I'm referencing? 16:05:14  A. Yes. 16:05:15 Q. So in other words, Vince is 16:05:18 asking and the 40-milligram sales is a 16:05:20 reference to the methadone 40 milligrams, 16:05:22 correct? 16:05:24 A. Yes. 16:05:25 Q. Manufactured by Mallinckrodt? 16:05:25 A. Yes. 16:05:27 Q. And he is trying to determine 16:05:28 where those Mallinckrodt pills ends up in 16:05:31 clinics. 16:05:37 Is that a fair characterization 16:05:37 of the question he's asking Jeff? 16:05:39 MR. O'CONNOR: Object to form. 16:05:41 THE WITNESS: It's how many end 16:05:41 up in clinics versus retail. 16:05:43 QUESTIONS BY MR. KO: 16:05:47	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. He was in commercial group, but 16:06:59 I believe he was on the branded side. I 16:07:00 didn't have any interaction with him. 16:07:02 Q. Sure. 16:07:03 And Mr. Burd, who appears was a 16:07:04 senior marketing manager, he is he 16:07:08 indicates that, "Well, we were able to get at 16:07:11 this data quicker than I expected, with 16:07:14 Kate's help." 16:07:17 Do you see that? 16:07:19 Q. So is it a fair 16:07:19 Q. So is it a fair 16:07:19 characterization of this e-mail that he was 16:07:21 able to obtain the chargeback data a lot 16:07:22 quicker than he had expected? 16:07:26 MR. O'CONNOR: Object to form. 16:07:27 THE WITNESS: Yes. 16:07:28 QUESTIONS BY MR. KO: 16:07:29 timestamp, it looks like it takes him 16:07:30 certainly the same day, but he responds 16:07:33

			drener contractionary nevice.
	Page 358		Page 360
1	Q. So in a six-hour time period, 16:07:41	1	A. Oh, here. Yes. 16:09:33
2	is it accurate to say that a Mallinckrodt 16:07:45	2	Q. Okay. Now, in that 16:09:41
3	employee was able to utilize chargeback data 16:07:46	3	November 19, 2009 e-mail, you ask, among 16:09:45
4	to understand where Mallinckrodt products 16:07:50	4	other things, to Tiffany, quote, "Is it 16:09:48
5	were ending up? 16:07:52	5	feasible to run chargeback summary reports 16:09:53
6	MR. O'CONNOR: Object to form. 16:07:53	6	each time we receive information through the 16:09:55
7	THE WITNESS: Yes. 16:07:53	7	industry about DEA actions against pharmacies 16:09:57
8	QUESTIONS BY MR. KO: 16:07:55	8	or physicians?" 16:09:59
9	Q. Okay. And by the way, do 16:07:56	9	Did I read that correctly? 16:10:00
10	you there's a reference here to Kate. It 16:08:00	10	A. Yes. 16:10:00
11	says that he's able to he was able to 16:08:04	11	Q. So is it fair to say that at 16:10:02
12	utilize Kate's help to get this data. 16:08:07	12	least as of November 2000 fair to say that 16:10:04
13	Do you see that? 16:08:09	13	as of November 19, 2009, you're inquiring 16:10:11
14	A. Yes, I do. 16:08:09	14	about how to utilize chargeback summary 16:10:15
15	Q. And that was Kate Neely? 16:08:10	15	reports to determine where Mallinckrodt pills 16:10:18
16	A. Yes. Kate Muhlenkamp at the 16:08:12	16	are ending up? 16:10:22
17	time, yes. 16:08:14	17	MR. O'CONNOR: Object to form. 16:10:23
18	Q. Right. 16:08:15	18	THE WITNESS: Yes. 16:10:24
19	A. Yes. 16:08:15	19	QUESTIONS BY MR. KO: 16:10:24
20	Q. Thank you. 16:08:16	20	Q. Okay. And was this does 16:10:25
21	(Mallinckrodt-Harper Exhibit 22 16:08:18	21	this refresh your recollection at all that 16:10:28
22	marked for identification.) 16:08:18	22	this was about the time you were you 16:10:32
23	QUESTIONS BY MR. KO: 16:08:18	23	became interested in utilizing chargeback 16:10:34
24	Q. I'm going to hand you now a 16:08:26	24	information consistent with the DEA 16:10:36
25	copy of what will be marked as Harper 16:08:28	25	investigation against Sunrise? 16:10:39
	Page 359		Page 361
1	Page 359 Exhibit 22. 16:08:31	1	Page 361 MR. O'CONNOR: Object to form. 16:10:41
1 2	_	1 2	_
	Exhibit 22. 16:08:31		MR. O'CONNOR: Object to form. 16:10:41
2	Exhibit 22. 16:08:31  And we can go through this 16:08:37	2	MR. O'CONNOR: Object to form. 16:10:41 THE WITNESS: No. 16:10:42
2 3	Exhibit 22. 16:08:31  And we can go through this 16:08:37 document and we can take a break. 16:08:38	2 3	MR. O'CONNOR: Object to form. 16:10:41 THE WITNESS: No. 16:10:42 QUESTIONS BY MR. KO: 16:10:44
2 3 4	Exhibit 22. 16:08:31  And we can go through this 16:08:37  document and we can take a break. 16:08:38  MR. O'CONNOR: Okay. 16:08:38	2 3 4	MR. O'CONNOR: Object to form. 16:10:41 THE WITNESS: No. 16:10:42  QUESTIONS BY MR. KO: 16:10:44 Q. Okay. 16:10:44
2 3 4 5	Exhibit 22. 16:08:31  And we can go through this 16:08:37 document and we can take a break. 16:08:38  MR. O'CONNOR: Okay. 16:08:38  QUESTIONS BY MR. KO: 16:08:38	2 3 4 5	MR. O'CONNOR: Object to form. 16:10:41 THE WITNESS: No. 16:10:42  QUESTIONS BY MR. KO: 16:10:44 Q. Okay. 16:10:44 A. Well, around the same time, 16:10:44
2 3 4 5 6	Exhibit 22. 16:08:31  And we can go through this 16:08:37  document and we can take a break. 16:08:38  MR. O'CONNOR: Okay. 16:08:38  QUESTIONS BY MR. KO: 16:08:38  Q. If that doesn't or if you 16:08:42	2 3 4 5 6	MR. O'CONNOR: Object to form. 16:10:41 THE WITNESS: No. 16:10:42  QUESTIONS BY MR. KO: 16:10:44 Q. Okay. 16:10:44 A. Well, around the same time, 16:10:44 but this is not speaking of that, but, 16:10:46
2 3 4 5 6 7	Exhibit 22. 16:08:31  And we can go through this 16:08:37  document and we can take a break. 16:08:38  MR. O'CONNOR: Okay. 16:08:38  QUESTIONS BY MR. KO: 16:08:38  Q. If that doesn't or if you 16:08:42  don't mind. 16:08:44  A. That's acceptable, thank you, 16:08:45  yes. 16:08:45	2 3 4 5 6 7	MR. O'CONNOR: Object to form. 16:10:41 THE WITNESS: No. 16:10:42  QUESTIONS BY MR. KO: 16:10:44 Q. Okay. 16:10:44 A. Well, around the same time, 16:10:44 but this is not speaking of that, but, 16:10:46 yes, at the same time, yes, sir, sorry. 16:10:48 Q. Yeah, I understand that this 16:10:50 doesn't make any reference 16:10:51
2 3 4 5 6 7 8	Exhibit 22. 16:08:31  And we can go through this 16:08:37  document and we can take a break. 16:08:38  MR. O'CONNOR: Okay. 16:08:38  QUESTIONS BY MR. KO: 16:08:38  Q. If that doesn't or if you 16:08:42  don't mind. 16:08:44  A. That's acceptable, thank you, 16:08:45  yes. 16:08:45  Q. For the record, this e-mail 16:08:53	2 3 4 5 6 7 8	MR. O'CONNOR: Object to form. 16:10:41 THE WITNESS: No. 16:10:42  QUESTIONS BY MR. KO: 16:10:44 Q. Okay. 16:10:44 A. Well, around the same time, 16:10:44 but this is not speaking of that, but, 16:10:46 yes, at the same time, yes, sir, sorry. 16:10:48 Q. Yeah, I understand that this 16:10:50 doesn't make any reference 16:10:51 A. Okay. I apologize. Yes. 16:10:52
2 3 4 5 6 7 8	Exhibit 22. 16:08:31  And we can go through this 16:08:37  document and we can take a break. 16:08:38  MR. O'CONNOR: Okay. 16:08:38  QUESTIONS BY MR. KO: 16:08:38  Q. If that doesn't or if you 16:08:42  don't mind. 16:08:44  A. That's acceptable, thank you, 16:08:45  yes. 16:08:45  Q. For the record, this e-mail 16:08:53  exchange ends in Bates 500657. And this is 16:08:54	2 3 4 5 6 7 8	MR. O'CONNOR: Object to form. 16:10:41 THE WITNESS: No. 16:10:42  QUESTIONS BY MR. KO: 16:10:44 Q. Okay. 16:10:44 A. Well, around the same time, 16:10:44 but this is not speaking of that, but, 16:10:46 yes, at the same time, yes, sir, sorry. 16:10:48 Q. Yeah, I understand that this 16:10:50 doesn't make any reference 16:10:51 A. Okay. I apologize. Yes. 16:10:52 Q. Yeah, that's okay. 16:10:54
2 3 4 5 6 7 8 9	Exhibit 22. 16:08:31  And we can go through this 16:08:37  document and we can take a break. 16:08:38  MR. O'CONNOR: Okay. 16:08:38  QUESTIONS BY MR. KO: 16:08:38  Q. If that doesn't or if you 16:08:42  don't mind. 16:08:44  A. That's acceptable, thank you, 16:08:45  yes. 16:08:45  Q. For the record, this e-mail 16:08:53  exchange ends in Bates 500657. And this is 16:08:54  an e-mail exchange from actually the 2009 to 16:08:59	2 3 4 5 6 7 8 9	MR. O'CONNOR: Object to form. 16:10:41 THE WITNESS: No. 16:10:42  QUESTIONS BY MR. KO: 16:10:44 Q. Okay. 16:10:44 A. Well, around the same time, 16:10:44 but this is not speaking of that, but, 16:10:46 yes, at the same time, yes, sir, sorry. 16:10:48 Q. Yeah, I understand that this 16:10:50 doesn't make any reference 16:10:51 A. Okay. I apologize. Yes. 16:10:52 Q. Yeah, that's okay. 16:10:54 Around this time was when 16:10:54
2 3 4 5 6 7 8 9 10 11 12 13	Exhibit 22. 16:08:31  And we can go through this 16:08:37  document and we can take a break. 16:08:38  MR. O'CONNOR: Okay. 16:08:38  QUESTIONS BY MR. KO: 16:08:38  Q. If that doesn't or if you 16:08:42  don't mind. 16:08:44  A. That's acceptable, thank you, 16:08:45  yes. 16:08:45  Q. For the record, this e-mail 16:08:53  exchange ends in Bates 500657. And this is 16:08:54  an e-mail exchange from actually the 2009 to 16:08:59  2010 time period. 16:09:04	2 3 4 5 6 7 8 9 10	MR. O'CONNOR: Object to form. 16:10:41 THE WITNESS: No. 16:10:42  QUESTIONS BY MR. KO: 16:10:44  Q. Okay. 16:10:44  A. Well, around the same time, 16:10:44  but this is not speaking of that, but, 16:10:46  yes, at the same time, yes, sir, sorry. 16:10:48  Q. Yeah, I understand that this 16:10:50  doesn't make any reference 16:10:51  A. Okay. I apologize. Yes. 16:10:52  Q. Yeah, that's okay. 16:10:54  Around this time was when 16:10:54  Sunrise you began looking into Sunrise as 16:10:56
2 3 4 5 6 7 8 9 10 11 12 13 14	Exhibit 22. 16:08:31  And we can go through this 16:08:37  document and we can take a break. 16:08:38  MR. O'CONNOR: Okay. 16:08:38  QUESTIONS BY MR. KO: 16:08:38  Q. If that doesn't or if you 16:08:42  don't mind. 16:08:44  A. That's acceptable, thank you, 16:08:45  yes. 16:08:45  Q. For the record, this e-mail 16:08:53  exchange ends in Bates 500657. And this is 16:08:54  an e-mail exchange from actually the 2009 to 16:08:59  2010 time period. 16:09:04  And the title of the e-mail is 16:09:08	2 3 4 5 6 7 8 9 10 11 12 13	MR. O'CONNOR: Object to form. 16:10:41 THE WITNESS: No. 16:10:42  QUESTIONS BY MR. KO: 16:10:44  Q. Okay. 16:10:44  A. Well, around the same time, 16:10:44  but this is not speaking of that, but, 16:10:46  yes, at the same time, yes, sir, sorry. 16:10:48  Q. Yeah, I understand that this 16:10:50  doesn't make any reference 16:10:51  A. Okay. I apologize. Yes. 16:10:52  Q. Yeah, that's okay. 16:10:54  Around this time was when 16:10:54  Sunrise you began looking into Sunrise as 16:10:56  well, correct? 16:10:59
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Exhibit 22. 16:08:31  And we can go through this 16:08:37  document and we can take a break. 16:08:38  MR. O'CONNOR: Okay. 16:08:38  QUESTIONS BY MR. KO: 16:08:38  Q. If that doesn't or if you 16:08:42  don't mind. 16:08:44  A. That's acceptable, thank you, 16:08:45  yes. 16:08:45  Q. For the record, this e-mail 16:08:53  exchange ends in Bates 500657. And this is 16:08:54  an e-mail exchange from actually the 2009 to 16:08:59  2010 time period. 16:09:04  And the title of the e-mail is 16:09:08  "Chargeback Information Request." 16:09:09	2 3 4 5 6 7 8 9 10 11 12 13 14	MR. O'CONNOR: Object to form. 16:10:41 THE WITNESS: No. 16:10:42  QUESTIONS BY MR. KO: 16:10:44  Q. Okay. 16:10:44  A. Well, around the same time, 16:10:46  but this is not speaking of that, but, 16:10:46  yes, at the same time, yes, sir, sorry. 16:10:48  Q. Yeah, I understand that this 16:10:50  doesn't make any reference 16:10:51  A. Okay. I apologize. Yes. 16:10:52  Q. Yeah, that's okay. 16:10:54  Around this time was when 16:10:54  Sunrise you began looking into Sunrise as 16:10:56  well, correct? 16:10:59  A. Yes. 16:11:00
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Exhibit 22. 16:08:31  And we can go through this 16:08:37  document and we can take a break. 16:08:38  MR. O'CONNOR: Okay. 16:08:38  QUESTIONS BY MR. KO: 16:08:42  don't mind. 16:08:44  A. That's acceptable, thank you, 16:08:45  yes. 16:08:45  Q. For the record, this e-mail 16:08:53  exchange ends in Bates 500657. And this is 16:08:54  an e-mail exchange from actually the 2009 to 16:08:59  2010 time period. 16:09:04  And the title of the e-mail is 16:09:08  "Chargeback Information Request." 16:09:09  Do you see that? 16:09:10  A. Yes, but I see that it started 16:09:11  in 2010, not in 2009. 16:09:14  Q. And it's a little confusing 16:09:17  because I think that's reference made to a 16:09:22  bottom of the second page, there is an e-mail 16:09:24  from you to Tiffany Rowley dated November 19, 16:09:27  2009. 16:09:33	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	MR. O'CONNOR: Object to form. 16:10:41 THE WITNESS: No. 16:10:42  QUESTIONS BY MR. KO: 16:10:44 A. Well, around the same time, 16:10:46 yes, at the same time, yes, sir, sorry. 16:10:48 Q. Yeah, I understand that this 16:10:50 doesn't make any reference 16:10:51 A. Okay. I apologize. Yes. 16:10:52 Q. Yeah, that's okay. 16:10:54 Around this time was when 16:10:54 Sunrise you began looking into Sunrise as 16:10:56 well, correct? 16:11:00 Q. And you also were trying to 16:11:01 pull chargeback data and chargeback 16:11:07 where your pills ended up after distributing 16:11:09 to Sunrise, correct? 16:11:13 MR. O'CONNOR: Object to form. 16:11:14 THE WITNESS: Yes. The company 16:11:15
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	Page 362		Page 364
1	QUESTIONS BY MR. KO: 16:11:18	1	requests might be or how many end user 16:13:18
2	Q. But it was in connection with 16:11:20	2	inquiries per month, I can run this by my 16:13:21
3	your obligations as the team leader of the 16:11:21	3	manager to ensure she agrees this fits our 16:13:24
4	suspicious order monitoring program 16:11:23	4	area. I just pull the data from Cognos. 16:13:26
5	A. Yes. 16:11:24	5	It's nothing complicated at all. I'd be 16:13:29
6	Q right? 16:11:24	6	happy to train someone in your group to do 16:13:31
7	A. Yes. 16:11:25	7	this if that makes more sense." 16:13:33
8	Q. Okay. Now, after you asked 16:11:25	8	Did I read that correctly? 16:13:35
9	that question on November 19, 2009, 16:11:29	9	A. Yes. 16:13:35
10	Tiffany by the way, who is Tiffany Rowley 16:11:33	10	Q. So as of February 22, 2010, is 16:13:35
11	Kilper? 16:11:37	11	it accurate to say that Mallinckrodt 16:13:43
12	A. She she was with the 16:11:37	12	certainly has the ability to run chargeback 16:13:44
13	contract group, contract administration, but 16:11:41	13	information and chargeback data to determine 16:13:51
14	I'm not certain of what her role entailed. 16:11:45	14	where Mallinckrodt pills are going? 16:13:53
15	Q. Okay. But she was someone who 16:11:48	15	MR. O'CONNOR: Object to form. 16:13:54
16	you consulted with to pull chargeback 16:11:50	16	THE WITNESS: Yes. 16:13:55
17	information, correct? 16:11:52	17	QUESTIONS BY MR. KO: 16:13:55
18	A. Yes. 16:11:53	18	Q. Okay. And this request 16:13:55
19	Q. Okay. And she responds, "Sure, 16:11:57	19	actually originated on November 19, 2009, as 16:13:56
20	Karen, I can always provide that data." 16:12:02	20	indicated by your original e-mail, correct? 16:14:04
21	Do you see that? 16:12:05	21	A. Yes. 16:14:06
22	A. Yes. 16:12:05	22	Q. And she's it's accurate to 16:14:08
23	Q. And unfortunately, for this 16:12:08	23	say that at least based on 16:14:11
24	e-mail exchange there's no date that's 16:12:10	24	Ms. Rowley-Kilper's characterization, it's 16:14:16
25	indicated for that particular e-mail, but we 16:12:17	25	nothing complicated at all to pull this data, 16:14:17
	Page 363		Page 365
1	can move up to your Monday, February 22, 2010 16:12:19	1	correct? 16:14:20
2	e-mail. 16:12:22	2	MR. O'CONNOR: Object to form. 16:14:2
	e-mail. 16:12:22 Do you see that? 16:12:23		MR. O'CONNOR: Object to form. 16:14:21 THE WITNESS: Correct. 16:14:21
2 3 4	e-mail. 16:12:22  Do you see that? 16:12:23  A. I do. 16:12:23	2 3 4	MR. O'CONNOR: Object to form. 16:14:21 THE WITNESS: Correct. 16:14:21 QUESTIONS BY MR. KO: 16:14:22
2	e-mail. 16:12:22  Do you see that? 16:12:23  A. I do. 16:12:23  Q. And you say, "Tiffany, we 16:12:24	2	MR. O'CONNOR: Object to form. 16:14:21 THE WITNESS: Correct. 16:14:21 QUESTIONS BY MR. KO: 16:14:22 Q. And she would be happy to train 16:14:22
2 3 4 5 6	e-mail. 16:12:22  Do you see that? 16:12:23  A. I do. 16:12:23  Q. And you say, "Tiffany, we 16:12:24  exchanged e-mails several months ago about 16:12:27	2 3 4 5 6	MR. O'CONNOR: Object to form. 16:14:21 THE WITNESS: Correct. 16:14:21 QUESTIONS BY MR. KO: 16:14:22 Q. And she would be happy to train 16:14:22 someone in your group to do it yourself? 16:14:24
2 3 4 5 6 7	e-mail. 16:12:22  Do you see that? 16:12:23  A. I do. 16:12:23  Q. And you say, "Tiffany, we 16:12:24  exchanged e-mails several months ago about 16:12:27  running chargeback reports as a benefit to 16:12:28	2 3 4 5 6 7	MR. O'CONNOR: Object to form. 16:14:21 THE WITNESS: Correct. 16:14:21 QUESTIONS BY MR. KO: 16:14:22 Q. And she would be happy to train 16:14:22 someone in your group to do it yourself? 16:14:24 A. Correct. 16:14:25
2 3 4 5 6	e-mail. 16:12:22  Do you see that? 16:12:23  A. I do. 16:12:23  Q. And you say, "Tiffany, we 16:12:24  exchanged e-mails several months ago about 16:12:27  running chargeback reports as a benefit to 16:12:28  the business based upon information we 16:12:30	2 3 4 5 6	MR. O'CONNOR: Object to form. 16:14:20 THE WITNESS: Correct. 16:14:21  QUESTIONS BY MR. KO: 16:14:22 Q. And she would be happy to train 16:14:22 someone in your group to do it yourself? 16:14:24 A. Correct. 16:14:25 Q. Did you take her up on her 16:14:26
2 3 4 5 6 7 8	e-mail.  Do you see that?  16:12:23  A. I do.  16:12:23  Q. And you say, "Tiffany, we 16:12:24 exchanged e-mails several months ago about 16:12:27 running chargeback reports as a benefit to 16:12:28 the business based upon information we 16:12:30 receive regarding DEA actions against 16:12:33	2 3 4 5 6 7 8	MR. O'CONNOR: Object to form. 16:14:20 THE WITNESS: Correct. 16:14:21  QUESTIONS BY MR. KO: 16:14:22 Q. And she would be happy to train 16:14:22 someone in your group to do it yourself? 16:14:24 A. Correct. 16:14:25 Q. Did you take her up on her 16:14:26 offer? 16:14:27
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2 3 4 5 6 7 8 9 10 11 12	e-mail. 16:12:22  Do you see that? 16:12:23  A. I do. 16:12:23  Q. And you say, "Tiffany, we 16:12:24 exchanged e-mails several months ago about 16:12:27 running chargeback reports as a benefit to 16:12:28 the business based upon information we 16:12:30 receive regarding DEA actions against 16:12:33 registrants and industry news." 16:12:35  Did I read that correctly? 16:12:39  A. Yes. 16:12:39  Q. So for whatever reason, three 16:12:41	2 3 4 5 6 7 8 9 10 11 12 13	MR. O'CONNOR: Object to form. 16:14:21 THE WITNESS: Correct. 16:14:21 QUESTIONS BY MR. KO: 16:14:22 Q. And she would be happy to train 16:14:22 someone in your group to do it yourself? 16:14:24 A. Correct. 16:14:25 Q. Did you take her up on her 16:14:26 offer? 16:14:27 A. No. 16:14:28 Q. Okay. Ms. Kilper always ran 16:14:28 the chargeback reports, correct? 16:14:31 MR. O'CONNOR: Object to form. 16:14:3
2 3 4 5 6 7 8 9 10 11 12 13	e-mail. 16:12:22  Do you see that? 16:12:23  A. I do. 16:12:23  Q. And you say, "Tiffany, we 16:12:24 exchanged e-mails several months ago about 16:12:27 running chargeback reports as a benefit to 16:12:28 the business based upon information we 16:12:30 receive regarding DEA actions against 16:12:33 registrants and industry news." 16:12:35  Did I read that correctly? 16:12:39  A. Yes. 16:12:39  Q. So for whatever reason, three 16:12:41 months pass between when you first ask 16:12:45	2 3 4 5 6 7 8 9 10 11 12 13 14	MR. O'CONNOR: Object to form. 16:14:21 THE WITNESS: Correct. 16:14:21 QUESTIONS BY MR. KO: 16:14:22 Q. And she would be happy to train 16:14:22 someone in your group to do it yourself? 16:14:24 A. Correct. 16:14:25 Q. Did you take her up on her 16:14:26 offer? 16:14:27 A. No. 16:14:28 Q. Okay. Ms. Kilper always ran 16:14:28 the chargeback reports, correct? 16:14:31 MR. O'CONNOR: Object to form. 16:14:34 THE WITNESS: Not always. 16:14:34
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2 3 4 5 6 7 8 9 10 11 12 13 14 15	e-mail. 16:12:22  Do you see that? 16:12:23  A. I do. 16:12:23  Q. And you say, "Tiffany, we 16:12:24 exchanged e-mails several months ago about 16:12:27 running chargeback reports as a benefit to 16:12:28 the business based upon information we 16:12:30 receive regarding DEA actions against 16:12:33 registrants and industry news." 16:12:35  Did I read that correctly? 16:12:39  A. Yes. 16:12:39  Q. So for whatever reason, three 16:12:41 months pass between when you first ask 16:12:45 Ms. Kilper to identify and run certain 16:12:49 requests with respect to chargeback 16:12:51	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	MR. O'CONNOR: Object to form. 16:14:20 THE WITNESS: Correct. 16:14:21  QUESTIONS BY MR. KO: 16:14:22 Q. And she would be happy to train 16:14:22 someone in your group to do it yourself? 16:14:24 A. Correct. 16:14:25 Q. Did you take her up on her 16:14:26 offer? 16:14:27 A. No. 16:14:28 Q. Okay. Ms. Kilper always ran 16:14:38 the chargeback reports, correct? 16:14:31 MR. O'CONNOR: Object to form. 16:14:34 THE WITNESS: Not always. 16:14:34 QUESTIONS BY MR. KO: 16:14:34
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	e-mail. 16:12:22  Do you see that? 16:12:23  A. I do. 16:12:23  Q. And you say, "Tiffany, we 16:12:24 exchanged e-mails several months ago about 16:12:27 running chargeback reports as a benefit to 16:12:28 the business based upon information we 16:12:30 receive regarding DEA actions against 16:12:33 registrants and industry news." 16:12:35  Did I read that correctly? 16:12:39  A. Yes. 16:12:39  Q. So for whatever reason, three 16:12:41 months pass between when you first ask 16:12:45 Ms. Kilper to identify and run certain 16:12:49 requests with respect to chargeback 16:12:51 information and when you follow up again with 16:12:53 her about this request; is that accurate? 16:12:59	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR. O'CONNOR: Object to form. 16:14:20 THE WITNESS: Correct. 16:14:21  QUESTIONS BY MR. KO: 16:14:22 Q. And she would be happy to train 16:14:22 someone in your group to do it yourself? 16:14:24 A. Correct. 16:14:25 Q. Did you take her up on her 16:14:26 offer? 16:14:27 A. No. 16:14:28 Q. Okay. Ms. Kilper always ran 16:14:28 the chargeback reports, correct? 16:14:31 MR. O'CONNOR: Object to form. 16:14:34 QUESTIONS BY MR. KO: 16:14:34 Q. Did you ever run a chargeback 16:14:35 report? 16:14:36 A. No. 16:14:36
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	e-mail. 16:12:22  Do you see that? 16:12:23  A. I do. 16:12:23  Q. And you say, "Tiffany, we 16:12:24 exchanged e-mails several months ago about 16:12:27 running chargeback reports as a benefit to 16:12:28 the business based upon information we 16:12:30 receive regarding DEA actions against 16:12:33 registrants and industry news." 16:12:35  Did I read that correctly? 16:12:39  A. Yes. 16:12:39  Q. So for whatever reason, three 16:12:41 months pass between when you first ask 16:12:45 Ms. Kilper to identify and run certain 16:12:49 requests with respect to chargeback 16:12:51 information and when you follow up again with 16:12:53 her about this request; is that accurate? 16:12:59  A. Yes. 16:13:01 Q. Okay. And then she responds 16:13:01	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR. O'CONNOR: Object to form. 16:14:20 THE WITNESS: Correct. 16:14:21  QUESTIONS BY MR. KO: 16:14:22 Q. And she would be happy to train 16:14:22 someone in your group to do it yourself? 16:14:24 A. Correct. 16:14:25 Q. Did you take her up on her 16:14:26 offer? 16:14:27 A. No. 16:14:28 Q. Okay. Ms. Kilper always ran 16:14:31 MR. O'CONNOR: Object to form. 16:14:31 THE WITNESS: Not always. 16:14:34 QUESTIONS BY MR. KO: 16:14:34 Q. Did you ever run a chargeback 16:14:35 report? 16:14:36 A. No. 16:14:36 Q. You had some other people do 16:14:37 it, correct? 16:14:38
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	e-mail.  Do you see that?  16:12:23  A. I do.  16:12:23  Q. And you say, "Tiffany, we 16:12:24 exchanged e-mails several months ago about 16:12:27 running chargeback reports as a benefit to 16:12:28 the business based upon information we 16:12:30 receive regarding DEA actions against 16:12:33 registrants and industry news."  16:12:35  Did I read that correctly?  A. Yes.  16:12:39  Q. So for whatever reason, three 16:12:41 months pass between when you first ask 16:12:45 Ms. Kilper to identify and run certain 16:12:49 requests with respect to chargeback 16:12:51 information and when you follow up again with 16:12:53 her about this request; is that accurate?  A. Yes.  16:13:01 Q. Okay. And then she responds 16:13:01 that same day that with some questions, 16:13:03	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR. O'CONNOR: Object to form. 16:14:20 THE WITNESS: Correct. 16:14:21  QUESTIONS BY MR. KO: 16:14:22  Q. And she would be happy to train 16:14:22 someone in your group to do it yourself? 16:14:24  A. Correct. 16:14:25  Q. Did you take her up on her 16:14:26  offer? 16:14:27  A. No. 16:14:28  Q. Okay. Ms. Kilper always ran 16:14:31  MR. O'CONNOR: Object to form. 16:14:31  THE WITNESS: Not always. 16:14:34  QUESTIONS BY MR. KO: 16:14:34  Q. Did you ever run a chargeback 16:14:35  report? 16:14:36  A. No. 16:14:36  Q. You had some other people do 16:14:37
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	e-mail. 16:12:22  Do you see that? 16:12:23  A. I do. 16:12:23  Q. And you say, "Tiffany, we 16:12:24 exchanged e-mails several months ago about 16:12:27 running chargeback reports as a benefit to 16:12:28 the business based upon information we 16:12:30 receive regarding DEA actions against 16:12:33 registrants and industry news." 16:12:35  Did I read that correctly? 16:12:39  A. Yes. 16:12:39  Q. So for whatever reason, three 16:12:41 months pass between when you first ask 16:12:45 Ms. Kilper to identify and run certain 16:12:49 requests with respect to chargeback 16:12:51 information and when you follow up again with 16:12:53 her about this request; is that accurate? 16:12:59  A. Yes. 16:13:01 Q. Okay. And then she responds 16:13:01	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR. O'CONNOR: Object to form. 16:14:20 THE WITNESS: Correct. 16:14:21  QUESTIONS BY MR. KO: 16:14:22  Q. And she would be happy to train 16:14:22 someone in your group to do it yourself? 16:14:24  A. Correct. 16:14:25  Q. Did you take her up on her 16:14:26  offer? 16:14:27  A. No. 16:14:28  Q. Okay. Ms. Kilper always ran 16:14:31  MR. O'CONNOR: Object to form. 16:14:31  THE WITNESS: Not always. 16:14:34  QUESTIONS BY MR. KO: 16:14:34  Q. Did you ever run a chargeback 16:14:35  report? 16:14:36  A. No. 16:14:36  Q. You had some other people do 16:14:37  it, correct? 16:14:38  A. Yes. 16:14:38  Q. And was there ever a time in 16:14:38
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	e-mail. 16:12:22  Do you see that? 16:12:23  A. I do. 16:12:23  Q. And you say, "Tiffany, we 16:12:24 exchanged e-mails several months ago about 16:12:27 running chargeback reports as a benefit to 16:12:28 the business based upon information we 16:12:30 receive regarding DEA actions against 16:12:33 registrants and industry news." 16:12:35  Did I read that correctly? 16:12:39  A. Yes. 16:12:39  Q. So for whatever reason, three 16:12:41 months pass between when you first ask 16:12:45 Ms. Kilper to identify and run certain 16:12:49 requests with respect to chargeback 16:12:51 information and when you follow up again with 16:12:53 her about this request; is that accurate? 16:12:59  A. Yes. 16:13:01 Q. Okay. And then she responds 16:13:01 that same day that with some questions, 16:13:03 but ultimately she well, let me read it 16:13:10 for you. 16:13:13	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR. O'CONNOR: Object to form. 16:14:20 THE WITNESS: Correct. 16:14:21  QUESTIONS BY MR. KO: 16:14:22  Q. And she would be happy to train 16:14:22 someone in your group to do it yourself? 16:14:24  A. Correct. 16:14:25  Q. Did you take her up on her 16:14:26  offer? 16:14:27  A. No. 16:14:28  Q. Okay. Ms. Kilper always ran 16:14:31  MR. O'CONNOR: Object to form. 16:14:31  MR. O'CONNOR: Object to form. 16:14:34  QUESTIONS BY MR. KO: 16:14:34  Q. Did you ever run a chargeback 16:14:35  report? 16:14:36  A. No. 16:14:36  Q. You had some other people do 16:14:37  it, correct? 16:14:38  A. Yes. 16:14:38  Q. And was there ever a time in 16:14:38  which it was indicated to you that it would 16:14:41
2 3 4 5 6 7 8	e-mail.  Do you see that?  16:12:23  A. I do.  16:12:23  Q. And you say, "Tiffany, we 16:12:24 exchanged e-mails several months ago about 16:12:27 running chargeback reports as a benefit to 16:12:28 the business based upon information we 16:12:30 receive regarding DEA actions against 16:12:33 registrants and industry news."  16:12:35  Did I read that correctly?  16:12:39  A. Yes.  16:12:39  Q. So for whatever reason, three 16:12:41 months pass between when you first ask 16:12:45 Ms. Kilper to identify and run certain 16:12:49 requests with respect to chargeback 16:12:51 information and when you follow up again with 16:12:53 her about this request; is that accurate?  16:13:01 Q. Okay. And then she responds 16:13:01 that same day that with some questions, 16:13:03 but ultimately she well, let me read it 16:13:10	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR. O'CONNOR: Object to form. 16:14:20 THE WITNESS: Correct. 16:14:21  QUESTIONS BY MR. KO: 16:14:22  Q. And she would be happy to train 16:14:22 someone in your group to do it yourself? 16:14:24  A. Correct. 16:14:25  Q. Did you take her up on her 16:14:26  offer? 16:14:27  A. No. 16:14:28  Q. Okay. Ms. Kilper always ran 16:14:31  MR. O'CONNOR: Object to form. 16:14:31  MR. O'CONNOR: Object to form. 16:14:34  QUESTIONS BY MR. KO: 16:14:34  Q. Did you ever run a chargeback 16:14:35  report? 16:14:36  A. No. 16:14:36  Q. You had some other people do 16:14:37  it, correct? 16:14:38  A. Yes. 16:14:38  Q. And was there ever a time in 16:14:38

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	Page 366		5
1	Q. Okay. In fact, it was quite 16:14:49	1	MR. KO: Why don't we take a 16:16:47
2	easy and they could whomever you directed 16:14:52	2	break. 16:16:52 MR. O'CONNOR: Sure. 16:16:53
3	would always comply with your request for 16:14:55	3	
4	this information, correct? 16:14:57	4	VIDEOGRAPHER: We are going off 16:16:54
5	MR. O'CONNOR: Object to form. 16:14:58	5	the record at 4:16 p.m. 16:16:55
6	THE WITNESS: Yes. Yes. 16:14:59	6	(Off the record at 4:16 p.m.) 16:16:56
7	QUESTIONS BY MR. KO: 16:14:59	7	VIDEOGRAPHER: We are back on 16:35:05
8	Q. Now, turning to the first page 16:15:00	8	the record at 4:35 p.m. 16:35:06
9	of this e-mail, you indicate sorry, not 16:15:03	9	QUESTIONS BY MR. KO: 16:35:07
10	you, but Ms. Johnson, who appears to be a 16:15:09	10	Q. Welcome back, Ms. Harper. 16:35:08
11	compliance assistant, she asks you whether or 16:15:12	11	Thank you for your patience today. I 16:35:11
12	not anything has been figured out on the 16:15:16	12	appreciate your the time that you have 16:35:13
13	chargeback requests yet. 16:15:18	13	spent, and we have, I think, a few more hours 16:35:14
14	Do you see that? 16:15:19	14	to go. 16:35:19
15	A. Yes. 16:15:19	15	So before we broke, we were 16:35:19
16	Q. And that's dated March 8, 2010? 16:15:24	16	talking about utilization of chargeback data. 16:35:22
17	A. Yes. 16:15:27	17	Do you recall that? 16:35:26
18	Q. And it appears that there was 16:15:28	18	A. Yes. 16:35:26
19	no response by you until Tiffany asks whether 16:15:31	19	Q. And 16:35:27
20	or not something was in her court on this, 16:15:37	20	MR. O'CONNOR: Can we go off 16:35:28
21	because she never heard back in response to 16:15:40	21	the record for just a second to put 16:35:30
22	your questions. 16:15:42	22	the mic on? 16:35:31
23	Do you see that? 16:15:43	23	THE WITNESS: Oh, I'm sorry. 16:35:36
24	A. Yes. 16:15:44	24	QUESTIONS BY MR. KO: 16:35:38
25	Q. Okay. And finally at the top 16:15:45	25	Q. So a moment ago we were talking 16:35:57
	D 0.0		D 260
	Page 367		Page 369
1	of this e-mail, you indicate to Carrie that 16:15:48	1	about chargebacks, correct? 16:35:58
2	of this e-mail, you indicate to Carrie that 16:15:48 "I have the next steps on this. I'll discuss 16:15:51	2	about chargebacks, correct? 16:35:58 A. Yes. 16:36:00
2 3	of this e-mail, you indicate to Carrie that 16:15:48 "I have the next steps on this. I'll discuss 16:15:51 with you later this week. I am booked solid 16:15:53	2 3	about chargebacks, correct? 16:35:58  A. Yes. 16:36:00  Q. And was in the late 2009 16:36:00
2 3 4	of this e-mail, you indicate to Carrie that 16:15:48 "I have the next steps on this. I'll discuss 16:15:51 with you later this week. I am booked solid 16:15:53 with meetings today. Thanks for following up 16:15:56	2 3 4	about chargebacks, correct? 16:35:58  A. Yes. 16:36:00  Q. And was in the late 2009 16:36:00 time period you had asked about whether or 16:36:05
2 3 4 5	of this e-mail, you indicate to Carrie that 16:15:48 "I have the next steps on this. I'll discuss 16:15:51 with you later this week. I am booked solid 16:15:53 with meetings today. Thanks for following up 16:15:56 to get your project going." 16:15:59	2 3	about chargebacks, correct? 16:35:58  A. Yes. 16:36:00  Q. And was in the late 2009 16:36:00 time period you had asked about whether or 16:36:05 not someone could run certain chargeback data 16:36:09
2 3 4 5 6	of this e-mail, you indicate to Carrie that 16:15:48  "I have the next steps on this. I'll discuss 16:15:51  with you later this week. I am booked solid 16:15:53  with meetings today. Thanks for following up 16:15:56  to get your project going." 16:15:59  Did I read that correctly? 16:16:02	2 3 4 5 6	about chargebacks, correct? 16:35:58  A. Yes. 16:36:00  Q. And was in the late 2009 16:36:00 time period you had asked about whether or 16:36:05 not someone could run certain chargeback data 16:36:09 for you so that you could understand the 16:36:11
2 3 4 5	of this e-mail, you indicate to Carrie that 16:15:48 "I have the next steps on this. I'll discuss 16:15:51 with you later this week. I am booked solid 16:15:53 with meetings today. Thanks for following up 16:15:56 to get your project going." 16:15:59 Did I read that correctly? 16:16:02 A. Yes. 16:16:02	2 3 4 5	about chargebacks, correct? 16:35:58  A. Yes. 16:36:00  Q. And was in the late 2009 16:36:00 time period you had asked about whether or 16:36:05 not someone could run certain chargeback data 16:36:09 for you so that you could understand the 16:36:11 details of a transaction in which 16:36:15
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2 3 4 5 6 7 8	of this e-mail, you indicate to Carrie that 16:15:48  "I have the next steps on this. I'll discuss 16:15:51  with you later this week. I am booked solid 16:15:53  with meetings today. Thanks for following up 16:15:56  to get your project going." 16:15:59  Did I read that correctly? 16:16:02  A. Yes. 16:16:02  Q. Okay. So is it fair to say 16:16:02  that there is a approximately four-month time 16:16:03	2 3 4 5 6 7 8	about chargebacks, correct? 16:35:58  A. Yes. 16:36:00  Q. And was in the late 2009 16:36:00 time period you had asked about whether or 16:36:05 not someone could run certain chargeback data 16:36:09 for you so that you could understand the 16:36:11 details of a transaction in which 16:36:15 Mallinckrodt was sending its pills to a 16:36:18 particular distributor, correct? 16:36:22
2 3 4 5 6 7 8 9	of this e-mail, you indicate to Carrie that 16:15:48 "I have the next steps on this. I'll discuss 16:15:51 with you later this week. I am booked solid 16:15:53 with meetings today. Thanks for following up 16:15:56 to get your project going." 16:15:59 Did I read that correctly? 16:16:02 A. Yes. 16:16:02 Q. Okay. So is it fair to say 16:16:02 that there is a approximately four-month time 16:16:03 period in which between when you first 16:16:05	2 3 4 5 6 7 8 9	about chargebacks, correct? 16:35:58  A. Yes. 16:36:00  Q. And was in the late 2009 16:36:00 time period you had asked about whether or 16:36:05 not someone could run certain chargeback data 16:36:09 for you so that you could understand the 16:36:11 details of a transaction in which 16:36:15 Mallinckrodt was sending its pills to a 16:36:18 particular distributor, correct? 16:36:22  MR. O'CONNOR: Object to form. 16:36:23
2 3 4 5 6 7 8 9 10	of this e-mail, you indicate to Carrie that 16:15:48 "I have the next steps on this. I'll discuss 16:15:51 with you later this week. I am booked solid 16:15:53 with meetings today. Thanks for following up 16:15:56 to get your project going." 16:15:59 Did I read that correctly? 16:16:02 A. Yes. 16:16:02 Q. Okay. So is it fair to say 16:16:02 that there is a approximately four-month time 16:16:03 period in which between when you first 16:16:05 asked for this information and when action is 16:16:07	2 3 4 5 6 7 8 9 10	about chargebacks, correct? 16:35:58  A. Yes. 16:36:00  Q. And was in the late 2009 16:36:00 time period you had asked about whether or 16:36:05 not someone could run certain chargeback data 16:36:09 for you so that you could understand the 16:36:11 details of a transaction in which 16:36:15 Mallinckrodt was sending its pills to a 16:36:18 particular distributor, correct? 16:36:22  MR. O'CONNOR: Object to form. 16:36:23 THE WITNESS: Yes. 16:36:23
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2 3 4 5 6 7 8 9 10 11 12 13 14	of this e-mail, you indicate to Carrie that 16:15:48  "I have the next steps on this. I'll discuss 16:15:51  with you later this week. I am booked solid 16:15:53  with meetings today. Thanks for following up 16:15:56  to get your project going." 16:15:59  Did I read that correctly? 16:16:02  A. Yes. 16:16:02  Q. Okay. So is it fair to say 16:16:02  that there is a approximately four-month time 16:16:03  period in which between when you first 16:16:05  asked for this information and when action is 16:16:07  actually taken on obtaining this chargeback 16:16:12  information? 16:16:16  A. Yes. 16:16:17  Q. Okay. And of course it's clear 16:16:23	2 3 4 5 6 7 8 9 10 11 12 13 14 15	about chargebacks, correct? 16:35:58  A. Yes. 16:36:00  Q. And was in the late 2009 16:36:00 time period you had asked about whether or 16:36:05 not someone could run certain chargeback data 16:36:09 for you so that you could understand the 16:36:11 details of a transaction in which 16:36:15 Mallinckrodt was sending its pills to a 16:36:18 particular distributor, correct? 16:36:22  MR. O'CONNOR: Object to form. 16:36:23 THE WITNESS: Yes. 16:36:23 QUESTIONS BY MR. KO: 16:36:23 Q. And specifically, was it your 16:36:24 idea to take the information you learned 16:36:28 well, strike that. 16:36:29
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	of this e-mail, you indicate to Carrie that 16:15:48 "I have the next steps on this. I'll discuss 16:15:51 with you later this week. I am booked solid 16:15:53 with meetings today. Thanks for following up 16:15:56 to get your project going." 16:15:59 Did I read that correctly? 16:16:02 A. Yes. 16:16:02 Q. Okay. So is it fair to say 16:16:02 that there is a approximately four-month time 16:16:03 period in which between when you first 16:16:05 asked for this information and when action is 16:16:07 actually taken on obtaining this chargeback 16:16:12 information? 16:16:16 A. Yes. 16:16:17 Q. Okay. And of course it's clear 16:16:23 from this e-mail exchange that the ball was 16:16:25	2 3 4 5 6 7 8 9 10 11 12 13	about chargebacks, correct? 16:35:58  A. Yes. 16:36:00  Q. And was in the late 2009 16:36:00 time period you had asked about whether or 16:36:05 not someone could run certain chargeback data 16:36:09 for you so that you could understand the 16:36:11 details of a transaction in which 16:36:15 Mallinckrodt was sending its pills to a 16:36:18 particular distributor, correct? 16:36:22  MR. O'CONNOR: Object to form. 16:36:23 THE WITNESS: Yes. 16:36:23 QUESTIONS BY MR. KO: 16:36:23 Q. And specifically, was it your 16:36:24 idea to take the information you learned 16:36:28 well, strike that. 16:36:39 One of the reasons for 16:36:34
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	of this e-mail, you indicate to Carrie that 16:15:48 "I have the next steps on this. I'll discuss 16:15:51 with you later this week. I am booked solid 16:15:53 with meetings today. Thanks for following up 16:15:56 to get your project going." 16:15:59 Did I read that correctly? 16:16:02 A. Yes. 16:16:02 Q. Okay. So is it fair to say 16:16:02 that there is a approximately four-month time 16:16:03 period in which between when you first 16:16:05 asked for this information and when action is 16:16:07 actually taken on obtaining this chargeback 16:16:12 information? 16:16:16 A. Yes. 16:16:17 Q. Okay. And of course it's clear 16:16:23 from this e-mail exchange that the ball was 16:16:25 in your court to respond to Carrie. 16:16:29	2 3 4 5 6 7 8 9 10 11 12 13 14 15	about chargebacks, correct? 16:35:58  A. Yes. 16:36:00  Q. And was in the late 2009 16:36:00 time period you had asked about whether or 16:36:05 not someone could run certain chargeback data 16:36:09 for you so that you could understand the 16:36:11 details of a transaction in which 16:36:15 Mallinckrodt was sending its pills to a 16:36:18 particular distributor, correct? 16:36:22  MR. O'CONNOR: Object to form. 16:36:23 THE WITNESS: Yes. 16:36:23 QUESTIONS BY MR. KO: 16:36:23 Q. And specifically, was it your 16:36:24 idea to take the information you learned 16:36:28 well, strike that. 16:36:29 One of the reasons for 16:36:34 identifying or utilizing chargeback 16:36:38
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	of this e-mail, you indicate to Carrie that 16:15:48 "I have the next steps on this. I'll discuss 16:15:51 with you later this week. I am booked solid 16:15:53 with meetings today. Thanks for following up 16:15:56 to get your project going." 16:15:59 Did I read that correctly? 16:16:02 A. Yes. 16:16:02 Q. Okay. So is it fair to say 16:16:02 that there is a approximately four-month time 16:16:03 period in which between when you first 16:16:05 asked for this information and when action is 16:16:07 actually taken on obtaining this chargeback 16:16:12 information? 16:16:16 A. Yes. 16:16:17 Q. Okay. And of course it's clear 16:16:23 from this e-mail exchange that the ball was 16:16:25 in your court to respond to Carrie. 16:16:31	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	about chargebacks, correct? 16:35:58  A. Yes. 16:36:00  Q. And was in the late 2009 16:36:00 time period you had asked about whether or 16:36:05 not someone could run certain chargeback data 16:36:09 for you so that you could understand the 16:36:11 details of a transaction in which 16:36:15 Mallinckrodt was sending its pills to a 16:36:18 particular distributor, correct? 16:36:22  MR. O'CONNOR: Object to form. 16:36:23 THE WITNESS: Yes. 16:36:23 QUESTIONS BY MR. KO: 16:36:23 Q. And specifically, was it your 16:36:24 idea to take the information you learned 16:36:28 well, strike that. 16:36:39  One of the reasons for 16:36:34 identifying or utilizing chargeback 16:36:38 information was to take the information you 16:36:40
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	of this e-mail, you indicate to Carrie that 16:15:48  "I have the next steps on this. I'll discuss 16:15:51 with you later this week. I am booked solid 16:15:53 with meetings today. Thanks for following up 16:15:56 to get your project going." 16:15:59  Did I read that correctly? 16:16:02 A. Yes. 16:16:02 Q. Okay. So is it fair to say 16:16:02 that there is a approximately four-month time 16:16:03 period in which between when you first 16:16:05 asked for this information and when action is 16:16:07 actually taken on obtaining this chargeback 16:16:12 information? 16:16:16 A. Yes. 16:16:17 Q. Okay. And of course it's clear 16:16:23 from this e-mail exchange that the ball was 16:16:25 in your court to respond to Carrie. 16:16:31 any subsequent documentation of when, in 16:16:33	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	about chargebacks, correct? 16:35:58  A. Yes. 16:36:00  Q. And was in the late 2009 16:36:00 time period you had asked about whether or 16:36:05 not someone could run certain chargeback data 16:36:09 for you so that you could understand the 16:36:11 details of a transaction in which 16:36:15 Mallinckrodt was sending its pills to a 16:36:18 particular distributor, correct? 16:36:22  MR. O'CONNOR: Object to form. 16:36:23 THE WITNESS: Yes. 16:36:23 QUESTIONS BY MR. KO: 16:36:23 Q. And specifically, was it your 16:36:24 idea to take the information you learned 16:36:28 well, strike that. 16:36:29  One of the reasons for 16:36:34 identifying or utilizing chargeback 16:36:38 information was to take the information you 16:36:40 received regarding certain DEA actions 16:36:46
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	of this e-mail, you indicate to Carrie that 16:15:48 "I have the next steps on this. I'll discuss 16:15:51 with you later this week. I am booked solid 16:15:53 with meetings today. Thanks for following up 16:15:56 to get your project going." 16:15:59 Did I read that correctly? 16:16:02 A. Yes. 16:16:02 Q. Okay. So is it fair to say 16:16:02 that there is a approximately four-month time 16:16:03 period in which between when you first 16:16:05 asked for this information and when action is 16:16:07 actually taken on obtaining this chargeback 16:16:12 information? 16:16:16 A. Yes. 16:16:17 Q. Okay. And of course it's clear 16:16:23 from this e-mail exchange that the ball was 16:16:25 in your court to respond to Carrie. 16:16:31 any subsequent documentation of when, in 16:16:33 fact, you responded, but at least four months 16:16:35	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	about chargebacks, correct?  A. Yes. 16:36:00  Q. And was in the late 2009 16:36:00 time period you had asked about whether or 16:36:05 not someone could run certain chargeback data 16:36:09 for you so that you could understand the 16:36:11 details of a transaction in which 16:36:15 Mallinckrodt was sending its pills to a 16:36:18 particular distributor, correct? 16:36:22  MR. O'CONNOR: Object to form. 16:36:23 THE WITNESS: Yes. 16:36:23 QUESTIONS BY MR. KO: 16:36:23 QUESTIONS BY MR. KO: 16:36:24 idea to take the information you learned 16:36:28 well, strike that. 16:36:29  One of the reasons for 16:36:34 identifying or utilizing chargeback 16:36:36 information was to take the information you 16:36:40 received regarding certain DEA actions 16:36:50
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	of this e-mail, you indicate to Carrie that 16:15:48 "I have the next steps on this. I'll discuss 16:15:51 with you later this week. I am booked solid 16:15:53 with meetings today. Thanks for following up 16:15:56 to get your project going." 16:15:59 Did I read that correctly? 16:16:02 A. Yes. 16:16:02 Q. Okay. So is it fair to say 16:16:02 that there is a approximately four-month time 16:16:03 period in which between when you first 16:16:05 asked for this information and when action is 16:16:07 actually taken on obtaining this chargeback 16:16:12 information? 16:16:16 A. Yes. 16:16:17 Q. Okay. And of course it's clear 16:16:23 from this e-mail exchange that the ball was 16:16:25 in your court to respond to Carrie. 16:16:31 any subsequent documentation of when, in 16:16:33 fact, you responded, but at least four months 16:16:35	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	about chargebacks, correct? 16:35:58  A. Yes. 16:36:00  Q. And was in the late 2009 16:36:00 time period you had asked about whether or 16:36:05 not someone could run certain chargeback data 16:36:09 for you so that you could understand the 16:36:11 details of a transaction in which 16:36:15 Mallinckrodt was sending its pills to a 16:36:18 particular distributor, correct? 16:36:22  MR. O'CONNOR: Object to form. 16:36:23 THE WITNESS: Yes. 16:36:23 QUESTIONS BY MR. KO: 16:36:23 Q. And specifically, was it your 16:36:24 idea to take the information you learned 16:36:28 well, strike that. 16:36:29  One of the reasons for 16:36:34 identifying or utilizing chargeback 16:36:38 information was to take the information you 16:36:40 received regarding certain DEA actions 16:36:50
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	of this e-mail, you indicate to Carrie that 16:15:48 "I have the next steps on this. I'll discuss 16:15:51 with you later this week. I am booked solid 16:15:53 with meetings today. Thanks for following up 16:15:56 to get your project going." 16:15:59  Did I read that correctly? 16:16:02 A. Yes. 16:16:02 Q. Okay. So is it fair to say 16:16:02 that there is a approximately four-month time 16:16:03 period in which between when you first 16:16:05 asked for this information and when action is 16:16:07 actually taken on obtaining this chargeback 16:16:12 information? 16:16:16  A. Yes. 16:16:17 Q. Okay. And of course it's clear 16:16:23 from this e-mail exchange that the ball was 16:16:25 in your court to respond to Carrie. 16:16:31 any subsequent documentation of when, in 16:16:33 fact, you responded, but at least four months 16:16:35 go by between when you first ask and when you 16:16:37	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	about chargebacks, correct? 16:35:58  A. Yes. 16:36:00  Q. And was in the late 2009 16:36:00 time period you had asked about whether or 16:36:05 not someone could run certain chargeback data 16:36:09 for you so that you could understand the 16:36:11 details of a transaction in which 16:36:15 Mallinckrodt was sending its pills to a 16:36:18 particular distributor, correct? 16:36:22  MR. O'CONNOR: Object to form. 16:36:23 THE WITNESS: Yes. 16:36:23 QUESTIONS BY MR. KO: 16:36:23 Q. And specifically, was it your 16:36:24 idea to take the information you learned 16:36:28 well, strike that. 16:36:29  One of the reasons for 16:36:34 identifying or utilizing chargeback 16:36:36 information was to take the information you 16:36:40 received regarding certain DEA actions 16:36:50 you had acquired, correct? 16:36:52
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	of this e-mail, you indicate to Carrie that 16:15:48  "I have the next steps on this. I'll discuss 16:15:51  with you later this week. I am booked solid 16:15:53  with meetings today. Thanks for following up 16:15:56  to get your project going." 16:15:59  Did I read that correctly? 16:16:02  A. Yes. 16:16:02  Q. Okay. So is it fair to say 16:16:02  that there is a approximately four-month time 16:16:03  period in which between when you first 16:16:05  asked for this information and when action is 16:16:07  actually taken on obtaining this chargeback 16:16:12  information? 16:16:16  A. Yes. 16:16:17  Q. Okay. And of course it's clear 16:16:23  from this e-mail exchange that the ball was 16:16:25  in your court to respond to Carrie. 16:16:31  any subsequent documentation of when, in 16:16:33  fact, you responded, but at least four months 16:16:35  go by between when you first ask and when you 16:16:37  again follow up with Tiffany and Carrie on 16:16:40	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	about chargebacks, correct?  A. Yes.  16:36:00  Q. And was in the late 2009  16:36:00  time period you had asked about whether or  16:36:05  not someone could run certain chargeback data  16:36:09  for you so that you could understand the  16:36:11  details of a transaction in which  16:36:15  Mallinckrodt was sending its pills to a  16:36:18  particular distributor, correct?  16:36:22  MR. O'CONNOR: Object to form.  16:36:23  QUESTIONS BY MR. KO:  16:36:23  Q. And specifically, was it your  16:36:24  idea to take the information you learned  16:36:28  well, strike that.  16:36:29  One of the reasons for  16:36:34  identifying or utilizing chargeback  information was to take the information you  16:36:40  received regarding certain DEA actions  against registrants and industry news that  16:36:50  you had acquired, correct?  16:36:52  MR. O'CONNOR: Object to form.  16:36:53
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	of this e-mail, you indicate to Carrie that 16:15:48 "I have the next steps on this. I'll discuss 16:15:51 with you later this week. I am booked solid 16:15:53 with meetings today. Thanks for following up 16:15:56 to get your project going." 16:15:59  Did I read that correctly? 16:16:02 A. Yes. 16:16:02 Q. Okay. So is it fair to say 16:16:02 that there is a approximately four-month time 16:16:03 period in which between when you first 16:16:05 asked for this information and when action is 16:16:07 actually taken on obtaining this chargeback 16:16:12 information? 16:16:16  A. Yes. 16:16:17  Q. Okay. And of course it's clear 16:16:23 from this e-mail exchange that the ball was 16:16:25 in your court to respond to Carrie. 16:16:31 any subsequent documentation of when, in 16:16:33 fact, you responded, but at least four months 16:16:35 go by between when you first ask and when you 16:16:37 again follow up with Tiffany and Carrie on 16:16:40 the chargeback data requests, correct? 16:16:43	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	about chargebacks, correct?  A. Yes.  16:36:00  Q. And was in the late 2009  16:36:05  not someone could run certain chargeback data  16:36:09  for you so that you could understand the  16:36:11  details of a transaction in which  16:36:15  Mallinckrodt was sending its pills to a  particular distributor, correct?  16:36:22  MR. O'CONNOR: Object to form.  16:36:23  THE WITNESS: Yes.  16:36:23  QUESTIONS BY MR. KO:  16:36:24  idea to take the information you learned  16:36:28  well, strike that.  16:36:29  One of the reasons for  16:36:34  identifying or utilizing chargeback  information was to take the information you  16:36:40  received regarding certain DEA actions  against registrants and industry news that  16:36:52  MR. O'CONNOR: Object to form.  16:36:53  THE WITNESS: Yes.  16:36:54

	5 1		
	Page 370		Page 372
1	information regarding specific pharmacies and 16:36:59	1	document ends in Bates 421850. 16:39:03
2	doctors and go into your data to determine 16:37:04	2	And this is an e-mail chain 16:39:21
3	whether or not Mallinckrodt was selling to 16:37:07	3	from the July 21, 2000 time period regarding 16:39:23
4	these pharmacies or physicians, correct? 16:37:10	4	Mallinckrodt suspicious order monitoring and 16:39:29
5	MR. O'CONNOR: Object to form. 16:37:13	5	the Harvard Drug license suspension. 16:39:30
6	THE WITNESS: Whether or not 16:37:13	6	Do you see that? 16:39:32
7	they were our they were downstream 16:37:15	7	A. I'm reading the e-mail, 16:39:33
8	customers of the distributors of our 16:37:18	8	please 16:39:41
9	product, yes. 16:37:20	9	Q. Sure. 16:39:41
10	QUESTIONS BY MR. KO: 16:37:21	10	A so that I can understand the 16:39:41
11	Q. Right. 16:37:21	11	whole context. 16:39:41
12	So the idea 16:37:21	12	Q. Absolutely. 16:39:41
13	A. Yes. 16:37:22	13	And my questions will relate to 16:40:02
14	Q of one of the reasons for 16:37:22	14	just the first page of this e-mail. 16:40:04
15	why you utilize chargeback information is to 16:37:26	15	A. All right. I'm ready. Thank 16:40:06
16	determine whether or not Mallinckrodt was 16:37:29	16	you. 16:40:07
17	selling to pharmacies or physicians that were 16:37:36	17	Q. Okay. On July 21, 2010, 16:40:07
18	customers of distributors that you sold to, 16:37:38	18	Mr. Ratliff asks you whether or not, quote, 16:40:14
19	correct? 16:37:40	19	"As an aside, are we capable of knowing our 16:40:19
20	MR. O'CONNOR: Object to form. 16:37:41	20	customers' customers with any specificity?" 16:40:22
21	THE WITNESS: Yes. 16:37:42	21	end quote. 16:40:27
22	QUESTIONS BY MR. KO: 16:37:43	22	Did I read that correctly? 16:40:28
23	Q. Okay. And the idea of using 16:37:48	23	A. Yes. 16:40:28
24	this chargeback information was also to make 16:37:49	24	Q. And you respond that same day 16:40:29
25	sure your customers/wholesale distributors 16:37:52	25	that well, why don't you read the first 16:40:30
	Page 371		Page 373
	were not also selling Mallinckrodt drugs to 16:37:56	1	sentence of that e-mail response. 16:40:35
2	these pharmacies or physicians, correct? 16:38:00	2	A. "Using chargeback data, it is 16:40:39
3	A. Yes. 16:38:02	3	indeed possible to know our customer's 16:40:41
4	Q. Okay. And again, you had this 16:38:03	4	customer with great specificity." 16:40:46
5	idea, or at least you discussed the 16:38:07	5	Q. Okay. And do you have any 16:40:49
6	possibility of obtaining this data, as of 16:38:11	6	reason to doubt that you in fact sent that 16:40:50
7	November 2009, correct? 16:38:14	7	e-mail to Mr. Ratliff on July 21, 2010? 16:40:51
8	A. Yes. 16:38:15	8	A. No. 16:40:54
9		1	
	Q. And also turning back to some 16:38:17	9	Q. And so it's accurate to state 16:40:55
10	of the e-mails that we had discussed 16:38:20	10	that as of July 2010, you understood that you 16:40:58
10 11	of the e-mails that we had discussed 16:38:20 previously in 2007, you were it's accurate 16:38:23	10 11	that as of July 2010, you understood that you 16:40:58 could utilize chargeback data to understand 16:41:03
10 11 12	of the e-mails that we had discussed 16:38:20 previously in 2007, you were it's accurate 16:38:23 to say that Mallinckrodt employees knew as of 16:38:28	10 11 12	that as of July 2010, you understood that you 16:40:58 could utilize chargeback data to understand 16:41:03 with great specificity knowledge of your 16:41:07
10 11 12 13	of the e-mails that we had discussed 16:38:20 previously in 2007, you were it's accurate 16:38:23 to say that Mallinckrodt employees knew as of 16:38:28 2007 how to utilize chargeback data to 16:38:31	10 11 12 13	that as of July 2010, you understood that you 16:40:58 could utilize chargeback data to understand 16:41:03 with great specificity knowledge of your 16:41:07 customer's customer; is that accurate? 16:41:11
10 11 12 13 14	of the e-mails that we had discussed 16:38:20 previously in 2007, you were it's accurate 16:38:23 to say that Mallinckrodt employees knew as of 16:38:28 2007 how to utilize chargeback data to 16:38:31 understand where pills were going after they 16:38:34	10 11 12 13 14	that as of July 2010, you understood that you 16:40:58 could utilize chargeback data to understand with great specificity knowledge of your 16:41:07 customer's customer; is that accurate? 16:41:11  A. Knowledge of who our customer 16:41:14
10 11 12 13 14 15	of the e-mails that we had discussed 16:38:20 previously in 2007, you were it's accurate 16:38:23 to say that Mallinckrodt employees knew as of 16:38:28 2007 how to utilize chargeback data to 16:38:31 understand where pills were going after they 16:38:34 were shipped to Mallinckrodt customers, 16:38:37	10 11 12 13 14 15	that as of July 2010, you understood that you 16:40:58 could utilize chargeback data to understand 16:41:03 with great specificity knowledge of your 16:41:07 customer's customer; is that accurate? 16:41:11  A. Knowledge of who our customer 16:41:14 was shipping to, yes. 16:41:20
10 11 12 13 14 15 16	of the e-mails that we had discussed 16:38:20 previously in 2007, you were it's accurate 16:38:23 to say that Mallinckrodt employees knew as of 16:38:28 2007 how to utilize chargeback data to 16:38:31 understand where pills were going after they 16:38:34 were shipped to Mallinckrodt customers, 16:38:37 correct? 16:38:39	10 11 12 13 14 15	that as of July 2010, you understood that you 16:40:58 could utilize chargeback data to understand 16:41:03 with great specificity knowledge of your 16:41:07 customer's customer; is that accurate? 16:41:11  A. Knowledge of who our customer 16:41:14 was shipping to, yes. 16:41:20  Q. Okay. So just so the record is 16:41:21
10 11 12 13 14 15 16	of the e-mails that we had discussed 16:38:20 previously in 2007, you were it's accurate 16:38:23 to say that Mallinckrodt employees knew as of 16:38:28 2007 how to utilize chargeback data to 16:38:31 understand where pills were going after they 16:38:34 were shipped to Mallinckrodt customers, 16:38:37 correct? 16:38:39  MR. O'CONNOR: Object to form. 16:38:39	10 11 12 13 14 15 16 17	that as of July 2010, you understood that you 16:40:58 could utilize chargeback data to understand with great specificity knowledge of your 16:41:07 customer's customer; is that accurate? 16:41:11  A. Knowledge of who our customer 16:41:14 was shipping to, yes. 16:41:20  Q. Okay. So just so the record is 16:41:21 clear, yes or no: Is it accurate to state 16:41:25
10 11 12 13 14 15 16 17	of the e-mails that we had discussed 16:38:20 previously in 2007, you were it's accurate 16:38:23 to say that Mallinckrodt employees knew as of 16:38:28 2007 how to utilize chargeback data to 16:38:31 understand where pills were going after they 16:38:34 were shipped to Mallinckrodt customers, 16:38:37 correct? 16:38:39  MR. O'CONNOR: Object to form. 16:38:39 THE WITNESS: Yes. 16:38:39	10 11 12 13 14 15 16 17	that as of July 2010, you understood that you could utilize chargeback data to understand with great specificity knowledge of your customer's customer; is that accurate? 16:41:11  A. Knowledge of who our customer 16:41:14  was shipping to, yes. 16:41:20  Q. Okay. So just so the record is 16:41:21  clear, yes or no: Is it accurate to state 16:41:25  that as of July 2010, you understood that you 16:41:26
10 11 12 13 14 15 16 17 18	of the e-mails that we had discussed 16:38:20 previously in 2007, you were it's accurate 16:38:23 to say that Mallinckrodt employees knew as of 16:38:28 2007 how to utilize chargeback data to 16:38:31 understand where pills were going after they 16:38:34 were shipped to Mallinckrodt customers, 16:38:37 correct? 16:38:39  MR. O'CONNOR: Object to form. 16:38:39 THE WITNESS: Yes. 16:38:39 (Mallinckrodt-Harper Exhibit 23 16:38:51	10 11 12 13 14 15 16 17 18	that as of July 2010, you understood that you 16:40:58 could utilize chargeback data to understand 16:41:03 with great specificity knowledge of your 16:41:07 customer's customer; is that accurate? 16:41:11  A. Knowledge of who our customer 16:41:14 was shipping to, yes. 16:41:20  Q. Okay. So just so the record is 16:41:21 clear, yes or no: Is it accurate to state 16:41:25 that as of July 2010, you understood that you 16:41:26 could utilize chargeback data to understand 16:41:32
10 11 12 13 14 15 16 17	of the e-mails that we had discussed previously in 2007, you were it's accurate 16:38:23 to say that Mallinckrodt employees knew as of 16:38:28 2007 how to utilize chargeback data to 16:38:31 understand where pills were going after they 16:38:34 were shipped to Mallinckrodt customers, 16:38:37 correct? 16:38:39  MR. O'CONNOR: Object to form. 16:38:39  THE WITNESS: Yes. 16:38:39  (Mallinckrodt-Harper Exhibit 23 16:38:51 marked for identification.) 16:38:51	10 11 12 13 14 15 16 17	that as of July 2010, you understood that you 16:40:58 could utilize chargeback data to understand with great specificity knowledge of your 16:41:07 customer's customer; is that accurate? 16:41:11  A. Knowledge of who our customer 16:41:14 was shipping to, yes. 16:41:20  Q. Okay. So just so the record is 16:41:21 clear, yes or no: Is it accurate to state 16:41:25 that as of July 2010, you understood that you 16:41:32 with great specificity where where your 16:41:34
10 11 12 13 14 15 16 17 18 19 20 21	of the e-mails that we had discussed previously in 2007, you were it's accurate 16:38:23 to say that Mallinckrodt employees knew as of 16:38:28 2007 how to utilize chargeback data to 16:38:31 understand where pills were going after they 16:38:34 were shipped to Mallinckrodt customers, 16:38:37 correct? 16:38:39  MR. O'CONNOR: Object to form. 16:38:39  THE WITNESS: Yes. 16:38:39  (Mallinckrodt-Harper Exhibit 23 16:38:51 marked for identification.) 16:38:51	10 11 12 13 14 15 16 17 18 19 20 21	that as of July 2010, you understood that you 16:40:58 could utilize chargeback data to understand with great specificity knowledge of your 16:41:07 customer's customer; is that accurate? 16:41:11  A. Knowledge of who our customer 16:41:14 was shipping to, yes. 16:41:20  Q. Okay. So just so the record is 16:41:21 clear, yes or no: Is it accurate to state 16:41:25 that as of July 2010, you understood that you 16:41:32 with great specificity where where your 16:41:34 pills were going after you shipped to the 16:41:38
10 11 12 13 14 15 16 17 18 19	of the e-mails that we had discussed previously in 2007, you were it's accurate 16:38:23 to say that Mallinckrodt employees knew as of 16:38:28 2007 how to utilize chargeback data to 16:38:31 understand where pills were going after they 16:38:34 were shipped to Mallinckrodt customers, 16:38:37 correct? 16:38:39  MR. O'CONNOR: Object to form. 16:38:39  THE WITNESS: Yes. 16:38:39  (Mallinckrodt-Harper Exhibit 23 16:38:51 marked for identification.) 16:38:51  QUESTIONS BY MR. KO: 16:38:51  Q. Okay. I'm going to hand you a 16:38:52	10 11 12 13 14 15 16 17 18 19 20 21	that as of July 2010, you understood that you 16:40:58 could utilize chargeback data to understand with great specificity knowledge of your 16:41:07 customer's customer; is that accurate? 16:41:11  A. Knowledge of who our customer 16:41:14 was shipping to, yes. 16:41:20  Q. Okay. So just so the record is 16:41:21 clear, yes or no: Is it accurate to state 16:41:25 that as of July 2010, you understood that you 16:41:32 with great specificity where where your 16:41:34 pills were going after you shipped to the 16:41:38 distributor? 16:41:42
10 11 12 13 14 15 16 17 18 19 20 21	of the e-mails that we had discussed previously in 2007, you were it's accurate 16:38:23 to say that Mallinckrodt employees knew as of 16:38:28 2007 how to utilize chargeback data to 16:38:31 understand where pills were going after they 16:38:34 were shipped to Mallinckrodt customers, 16:38:37 correct? 16:38:39  MR. O'CONNOR: Object to form. 16:38:39  THE WITNESS: Yes. 16:38:39  (Mallinckrodt-Harper Exhibit 23 16:38:51 marked for identification.) 16:38:51  QUESTIONS BY MR. KO: 16:38:51  Q. Okay. I'm going to hand you a 16:38:52 copy of what will be marked as Harper 16:38:53	10 11 12 13 14 15 16 17 18 19 20 21	that as of July 2010, you understood that you 16:40:58 could utilize chargeback data to understand with great specificity knowledge of your 16:41:07 customer's customer; is that accurate? 16:41:11  A. Knowledge of who our customer 16:41:14 was shipping to, yes. 16:41:20  Q. Okay. So just so the record is 16:41:21 clear, yes or no: Is it accurate to state 16:41:25 that as of July 2010, you understood that you 16:41:32 with great specificity where where your 16:41:34 pills were going after you shipped to the 16:41:38 distributor? 16:41:42  MR. O'CONNOR: Object to form. 16:41:42
10 11 12 13 14 15 16 17 18 19 20 21 22	of the e-mails that we had discussed previously in 2007, you were it's accurate 16:38:23 to say that Mallinckrodt employees knew as of 16:38:28 2007 how to utilize chargeback data to 16:38:31 understand where pills were going after they 16:38:34 were shipped to Mallinckrodt customers, 16:38:37 correct? 16:38:39  MR. O'CONNOR: Object to form. 16:38:39  THE WITNESS: Yes. 16:38:39  (Mallinckrodt-Harper Exhibit 23 16:38:51 marked for identification.) 16:38:51  QUESTIONS BY MR. KO: 16:38:51  Q. Okay. I'm going to hand you a 16:38:52 copy of what will be marked as Harper 16:38:53  Exhibit 23. 16:38:55	10 11 12 13 14 15 16 17 18 19 20 21	that as of July 2010, you understood that you 16:40:58 could utilize chargeback data to understand with great specificity knowledge of your 16:41:07 customer's customer; is that accurate? 16:41:11  A. Knowledge of who our customer 16:41:14 was shipping to, yes. 16:41:20  Q. Okay. So just so the record is 16:41:21 clear, yes or no: Is it accurate to state 16:41:25 that as of July 2010, you understood that you 16:41:36 could utilize chargeback data to understand with great specificity where where your 16:41:34 pills were going after you shipped to the 16:41:38 distributor? 16:41:42
10 11 12 13 14 15 16 17 18 19 20 21 22 23	of the e-mails that we had discussed previously in 2007, you were it's accurate 16:38:23 to say that Mallinckrodt employees knew as of 16:38:28 2007 how to utilize chargeback data to 16:38:31 understand where pills were going after they 16:38:34 were shipped to Mallinckrodt customers, 16:38:37 correct? 16:38:39  MR. O'CONNOR: Object to form. 16:38:39  THE WITNESS: Yes. 16:38:39  (Mallinckrodt-Harper Exhibit 23 16:38:51 marked for identification.) 16:38:51  QUESTIONS BY MR. KO: 16:38:51  Q. Okay. I'm going to hand you a 16:38:52 copy of what will be marked as Harper 16:38:53	10 11 12 13 14 15 16 17 18 19 20 21 22 23	that as of July 2010, you understood that you 16:40:58 could utilize chargeback data to understand with great specificity knowledge of your 16:41:07 customer's customer; is that accurate? 16:41:11  A. Knowledge of who our customer 16:41:14 was shipping to, yes. 16:41:20  Q. Okay. So just so the record is 16:41:21 clear, yes or no: Is it accurate to state 16:41:25 that as of July 2010, you understood that you 16:41:32 with great specificity where where your 16:41:34 pills were going after you shipped to the 16:41:38 distributor? 16:41:42  MR. O'CONNOR: Object to form. 16:41:42

1	Page 374		Page 376
1	QUESTIONS BY MR. KO: 16:41:43	1	
2	Q. You can set that aside. 16:41:46	2	Did I read that correctly? 16:44:41
3	(Mallinckrodt-Harper Exhibit 24 16:41:48	3	A. Yes. 16:44:41
4	marked for identification.) 16:41:49	4	Q. Okay. And understanding that 16:44:41
5	QUESTIONS BY MR. KO: 16:41:49	5	you don't recall the use of the word 16:44:45
6	Q. This is a copy of what will be 16:41:59	6	"indirect match report," you at least in this 16:44:47
7	marked as Harper Exhibit 24. 16:42:00	7	correspondence refer to retail pharmacies as 16:44:53
8	And this ends, for the record, 16:42:09	8	indirect end user customers, correct? 16:44:55
9	ends in Bates 280607. 16:42:09	9	A. Yes. 16:44:58
10	And this appears to be a 16:42:31	10	Q. Okay. Do you recall a time in 16:45:00
11	November 1, 2010 letter that you send to Paul 16:42:32	11	which and you state to Mr. Kleissle that 16:45:03
12	Kleissle, correct? 16:42:38	12	you can do this and accomplish this by 16:45:07
13	A. Yes. 16:42:39	13	reviewing chargeback data, correct? 16:45:11
14	Q. And you'll see later on there's 16:42:40	14	A. Yes. 16:45:12
15	the signature block of you on the second 16:42:43	15	Q. Okay. And so do you recall a 16:45:12
16	page. 16:42:46	16	time in which you had asked for reports to be 16:45:15
17	A. Yes. 16:42:47	17	run on indirect end user customers? 16:45:20
18	Q. And is it accurate to say that 16:42:47	18	A. Yes. 16:45:24
19	you're sending him this correspondence on 16:42:49	19	Q. Okay. And these you can set 16:45:25
20	November 1, 2010, to describe to him what you 16:42:52	20	that aside. 16:45:28
21	can utilize based on the chargeback 16:42:56	21	And in these reports you ran 16:45:28
22	information that you are that you have 16:42:59	22	certain reports or had asked certain reports 16:45:37
23	been reviewing in that 2010 time period? 16:43:00	23	to be run in connection with certain 16:45:39
24	A. Yes. 16:43:03	24	customers that you were shipping drugs to, 16:45:44
25	Q. Okay. That's all I have on 16:43:04	25	including Harvard, for example, correct? 16:45:49
	Page 375		Page 377
1	that document. 16:43:14	1	MR. O'CONNOR: Object to form. 16:45:51
2	Now, in connection with running 16:43:15	2	THE WITNESS: Yes. 16:45:51
3	chargeback reports, is it also accurate to 16:43:28	3	QUESTIONS BY MR. KO: 16:45:53
4	say that indirect match reports were reports 16:43:33	4	Q. By the way, when asking others 16:46:04
5	that you asked to be run to understand the 16:43:40	5	to run reports about indirect end users, did 16:46:06
6	downstream details of a transaction? 16:43:44	6	you have a name for these reports, or did you 16:46:13
7	MR. O'CONNOR: Object to form. 16:43:46	7	call them by a specific moniker? 16:46:15
8	THE WITNESS: I don't 16:43:47	8	A. I believe chargeback reports. 16:46:19
9	understand the term "indirect match 16:43:49	9	Q. Okay. 16:46:21
10	report." 16:43:50	10	A. Yes. 16:46:21
	10.43.JU	1 10	
11	OHESTIONS BY MP KO: 16.42.52	111	() So that's halpful 16.46.77
	QUESTIONS BY MR. KO: 16:43:52	11	Q. So that's helpful. 16:46:22
12	Q. Okay. How about let's 16:43:52	12	So you is it accurate to say 16:46:23
12 13	Q. Okay. How about let's 16:43:52 I'm sorry, let's go back to that document 16:43:55	12 13	So you is it accurate to say 16:46:23 that identification of pills that end up 16:46:28
12 13 14	Q. Okay. How about let's 16:43:52 I'm sorry, let's go back to that document 16:43:55 then that we just set aside. 16:43:58	12 13 14	So you is it accurate to say 16:46:23 that identification of pills that end up 16:46:28 end up at retail pharmacies was accomplished 16:46:35
12 13 14 15	Q. Okay. How about let's 16:43:52 I'm sorry, let's go back to that document 16:43:55 then that we just set aside. 16:43:58 A. All right. 16:43:59	12 13 14 15	So you is it accurate to say 16:46:23 that identification of pills that end up 16:46:28 end up at retail pharmacies was accomplished 16:46:35 through running chargeback reports? 16:46:38
12 13 14 15 16	Q. Okay. How about let's 16:43:52  I'm sorry, let's go back to that document 16:43:55  then that we just set aside. 16:43:58  A. All right. 16:43:59  Q. And in the first sentence of 16:44:00	12 13 14 15 16	So you is it accurate to say 16:46:23 that identification of pills that end up 16:46:28 end up at retail pharmacies was accomplished 16:46:35 through running chargeback reports? 16:46:38 A. Yes. 16:46:41
12 13 14 15 16 17	Q. Okay. How about let's 16:43:52 I'm sorry, let's go back to that document 16:43:55 then that we just set aside. 16:43:58 A. All right. 16:43:59 Q. And in the first sentence of 16:44:00 this correspondence to Mr. Kleissle, you 16:44:09	12 13 14 15 16 17	So you is it accurate to say 16:46:23 that identification of pills that end up 16:46:28 end up at retail pharmacies was accomplished 16:46:35 through running chargeback reports? 16:46:38 A. Yes. 16:46:41 Q. Okay. And you performed 16:46:41
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12 13 14 15 16 17 18 19 20	Q. Okay. How about let's 16:43:52  I'm sorry, let's go back to that document 16:43:55  then that we just set aside. 16:43:58  A. All right. 16:43:59  Q. And in the first sentence of 16:44:00  this correspondence to Mr. Kleissle, you 16:44:09  ask or you indicate, "In an ongoing effort 16:44:12  to enhance our existing suspicious order 16:44:15  monitoring program and in accordance with 21 16:44:18	12 13 14 15 16 17 18 19 20	So you is it accurate to say 16:46:23 that identification of pills that end up 16:46:28 end up at retail pharmacies was accomplished 16:46:35 through running chargeback reports? 16:46:38  A. Yes. 16:46:41 Q. Okay. And you performed 16:46:41 chargeback reports in connection with various 16:46:46 distributors that had their license suspended 16:46:50 by the DEA, including Harvard, for example, 16:46:52
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12 13 14 15 16 17 18 19 20 21 22 23	Q. Okay. How about let's 16:43:52  I'm sorry, let's go back to that document 16:43:55  then that we just set aside. 16:43:58  A. All right. 16:43:59  Q. And in the first sentence of 16:44:00  this correspondence to Mr. Kleissle, you 16:44:09  ask or you indicate, "In an ongoing effort 16:44:12  to enhance our existing suspicious order 16:44:15  monitoring program and in accordance with 21 16:44:18  CFR 1301.74, Mallinckrodt has begun the 16:44:22  process of reviewing sales to indirect end 16:44:26  user customers, open parens, retail 16:44:30	12 13 14 15 16 17 18 19 20 21 22 23	So you is it accurate to say 16:46:23 that identification of pills that end up 16:46:28 end up at retail pharmacies was accomplished 16:46:35 through running chargeback reports? 16:46:38  A. Yes. 16:46:41 Q. Okay. And you performed 16:46:41 chargeback reports in connection with various 16:46:46 distributors that had their license suspended 16:46:50 by the DEA, including Harvard, for example, 16:46:52 correct? 16:46:54  MR. O'CONNOR: Object to form. 16:46:55 THE WITNESS: Yes. 16:46:56
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12 13 14 15 16 17 18 19 20 21 22 23	Q. Okay. How about let's 16:43:52  I'm sorry, let's go back to that document 16:43:55  then that we just set aside. 16:43:58  A. All right. 16:43:59  Q. And in the first sentence of 16:44:00  this correspondence to Mr. Kleissle, you 16:44:09  ask or you indicate, "In an ongoing effort 16:44:12  to enhance our existing suspicious order 16:44:15  monitoring program and in accordance with 21 16:44:18  CFR 1301.74, Mallinckrodt has begun the 16:44:22  process of reviewing sales to indirect end 16:44:26  user customers, open parens, retail 16:44:30	12 13 14 15 16 17 18 19 20 21 22 23	So you is it accurate to say 16:46:23 that identification of pills that end up 16:46:28 end up at retail pharmacies was accomplished 16:46:35 through running chargeback reports? 16:46:38  A. Yes. 16:46:41 Q. Okay. And you performed 16:46:41 chargeback reports in connection with various 16:46:46 distributors that had their license suspended 16:46:50 by the DEA, including Harvard, for example, 16:46:52 correct? 16:46:54  MR. O'CONNOR: Object to form. 16:46:55 THE WITNESS: Yes. 16:46:56

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	Page 378		Page 380
1	Sunrise and Cedardale? 16:46:59	1	Q. And do you recall who you had 16:48:59
2	MR. O'CONNOR: Same objection. 16:47:05	2	perform that analysis? 16:49:07
3	THE WITNESS: Yes. 16:47:06	3	A. No. 16:49:08
4	QUESTIONS BY MR. KO: 16:47:06	4	Q. Either Ms. Spaulding or 16:49:08
5	Q. Okay. Did you also run 16:47:06	5	Ms. Rowley-Kilper? 16:49:10
6	chargeback reports for customers of 16:47:08	6	A. It may have been Ms. Neely. 16:49:11
7	KeySource? 16:47:09	7	Q. Ms. Neely, okay. 16:49:13
8	A. Yes. 16:47:11	8	Now, I'll represent for the 16:49:16
9	Q. Okay. So is it fair to say 16:47:14	9	record that this is a summary of the 16:49:19
10	that you had chargeback reports run for 16:47:18	10	chargeback information that appears on that 16:49:20
11	customers of KeySource, Cedardale, Masters, 16:47:24		report. And if you look at the bottom row 16:49:28
12	Sunrise and Harvard? 16:47:29	12	total, there appears to be 12,487 total 16:49:33
13	A. Yes. 16:47:30	13	orders recorded in which Harvard Drug sold 16:49:43
14	Q. And this was all in the 2009 to 16:47:30	14	controlled substances. 16:49:48
15 16	2010 time period? 16:47:32  A. I'm terrible with my years, 16:47:33	15 16	Do you see that? 16:49:49  A. Yes. 16:49:49
	3 3	17	
17	but I don't know the year. 16:47:36 Q. Okay. 16:47:40	18	Q. So I'll represent to you for 16:49:50 the record that the chargeback data that you 16:49:52
19	A. The years. 16:47:40	19	had run for Harvard Drug reported that there 16:49:58
20	Q. Generally speaking, was it 16:47:40	20	were 12,000 a total of 12,487 16:49:59
21	do you recall these reports being run in the 16:47:42	21	transactions. 16:50:02
22	2009 through 2011 time period? 16:47:45	22	MR. O'CONNOR: Counsel, I'm 16:50:03
23	A. Yes. 16:47:47	23	going to object. 16:50:03
24	Q. Okay. Now, the chargeback 16:47:52	24	Just to be clear, are you 16:50:04
25	reports you could distinguish by Mallinckrodt 16:47:58	25	saying that this is a document that 16:50:06
	Page 379		Page 381
			_
1	drug, correct? 16:48:02	1	you've prepared based on produced 16:50:08
2	drug, correct? 16:48:02 MR. O'CONNOR: Objection. 16:48:04	2	you've prepared based on produced 16:50:08 data? 16:50:11
2 3	drug, correct? 16:48:02  MR. O'CONNOR: Objection. 16:48:04  THE WITNESS: Yes. 16:48:04	2 3	you've prepared based on produced 16:50:08 data? 16:50:11  MR. KO: Based on produced 16:50:11
2 3 4	drug, correct? 16:48:02  MR. O'CONNOR: Objection. 16:48:04  THE WITNESS: Yes. 16:48:04  QUESTIONS BY MR. KO: 16:48:05	3 4	you've prepared based on produced 16:50:08 data? 16:50:11  MR. KO: Based on produced 16:50:11 data, the Bates number which appears 16:50:13
2 3 4 5	drug, correct? 16:48:02  MR. O'CONNOR: Objection. 16:48:04  THE WITNESS: Yes. 16:48:04  QUESTIONS BY MR. KO: 16:48:05  Q. In other words, you could 16:48:05	2 3 4 5	you've prepared based on produced 16:50:08 data? 16:50:11  MR. KO: Based on produced 16:50:11 data, the Bates number which appears 16:50:13 at the top of this. 16:50:14
2 3 4 5 6	drug, correct?       16:48:02         MR. O'CONNOR: Objection.       16:48:04         THE WITNESS: Yes.       16:48:04         QUESTIONS BY MR. KO:       16:48:05         Q. In other words, you could       16:48:05         determine you could sort by all oxy 15s or       16:48:06	2 3 4 5 6	you've prepared based on produced 16:50:08 data? 16:50:11 MR. KO: Based on produced 16:50:11 data, the Bates number which appears 16:50:13 at the top of this. 16:50:14 MR. O'CONNOR: Okay. So the 16:50:15
2 3 4 5 6 7	drug, correct? 16:48:02  MR. O'CONNOR: Objection. 16:48:04  THE WITNESS: Yes. 16:48:04  QUESTIONS BY MR. KO: 16:48:05  Q. In other words, you could 16:48:05  determine you could sort by all oxy 15s or 16:48:06  30s that Mallinckrodt was sending to a 16:48:13	2 3 4 5 6 7	you've prepared based on produced 16:50:08 data? 16:50:11  MR. KO: Based on produced 16:50:11 data, the Bates number which appears 16:50:13 at the top of this. 16:50:14  MR. O'CONNOR: Okay. So the 16:50:15 fact that the Bates number is at the 16:50:15
2 3 4 5 6 7 8	drug, correct? 16:48:02  MR. O'CONNOR: Objection. 16:48:04  THE WITNESS: Yes. 16:48:04  QUESTIONS BY MR. KO: 16:48:05  Q. In other words, you could 16:48:05  determine you could sort by all oxy 15s or 16:48:06  30s that Mallinckrodt was sending to a 16:48:13  particular customer, correct? 16:48:14	2 3 4 5 6 7 8	you've prepared based on produced 16:50:08 data? 16:50:11  MR. KO: Based on produced 16:50:11 data, the Bates number which appears 16:50:13 at the top of this. 16:50:14  MR. O'CONNOR: Okay. So the 16:50:15 fact that the Bates number is at the 16:50:15 top here does not mean that this is a 16:50:17
2 3 4 5 6 7 8	drug, correct? 16:48:02  MR. O'CONNOR: Objection. 16:48:04  THE WITNESS: Yes. 16:48:04  QUESTIONS BY MR. KO: 16:48:05  Q. In other words, you could 16:48:05  determine you could sort by all oxy 15s or 16:48:06  30s that Mallinckrodt was sending to a 16:48:13  particular customer, correct? 16:48:14  A. Yes. 16:48:16	2 3 4 5 6 7 8	you've prepared based on produced 16:50:08 data? 16:50:11  MR. KO: Based on produced 16:50:11 data, the Bates number which appears 16:50:13 at the top of this. 16:50:14  MR. O'CONNOR: Okay. So the 16:50:15 fact that the Bates number is at the 16:50:15 top here does not mean that this is a 16:50:17 copy of the document we produced? 16:50:18
2 3 4 5 6 7 8 9	drug, correct? 16:48:02  MR. O'CONNOR: Objection. 16:48:04  THE WITNESS: Yes. 16:48:04  QUESTIONS BY MR. KO: 16:48:05  Q. In other words, you could 16:48:05  determine you could sort by all oxy 15s or 16:48:06  30s that Mallinckrodt was sending to a 16:48:13  particular customer, correct? 16:48:14  A. Yes. 16:48:16  (Mallinckrodt-Harper Exhibit 25 16:48:19	2 3 4 5 6 7 8 9	you've prepared based on produced data?  MR. KO: Based on produced 16:50:11  MR. KO: Based on produced 16:50:11  data, the Bates number which appears 16:50:13  at the top of this. 16:50:14  MR. O'CONNOR: Okay. So the 16:50:15  fact that the Bates number is at the 16:50:15  top here does not mean that this is a 16:50:17  copy of the document we produced? 16:50:18  MR. KO: That's that's 16:50:20
2 3 4 5 6 7 8 9 10	drug, correct? 16:48:02  MR. O'CONNOR: Objection. 16:48:04  THE WITNESS: Yes. 16:48:04  QUESTIONS BY MR. KO: 16:48:05  Q. In other words, you could 16:48:05  determine you could sort by all oxy 15s or 16:48:06  30s that Mallinckrodt was sending to a 16:48:13  particular customer, correct? 16:48:14  A. Yes. 16:48:16  (Mallinckrodt-Harper Exhibit 25 16:48:19  marked for identification.) 16:48:20	2 3 4 5 6 7 8 9 10	you've prepared based on produced data?  16:50:11  MR. KO: Based on produced 16:50:11  data, the Bates number which appears 16:50:13  at the top of this. 16:50:14  MR. O'CONNOR: Okay. So the 16:50:15  fact that the Bates number is at the 16:50:15  top here does not mean that this is a 16:50:17  copy of the document we produced? 16:50:18  MR. KO: That's that's 16:50:20  right. 16:50:22
2 3 4 5 6 7 8 9 10 11 12	drug, correct? 16:48:02  MR. O'CONNOR: Objection. 16:48:04  THE WITNESS: Yes. 16:48:04  QUESTIONS BY MR. KO: 16:48:05  Q. In other words, you could 16:48:05  determine you could sort by all oxy 15s or 16:48:06  30s that Mallinckrodt was sending to a 16:48:13  particular customer, correct? 16:48:14  A. Yes. 16:48:16  (Mallinckrodt-Harper Exhibit 25 16:48:19  marked for identification.) 16:48:20  QUESTIONS BY MR. KO: 16:48:20	2 3 4 5 6 7 8 9 10 11	you've prepared based on produced data?  16:50:11  MR. KO: Based on produced 16:50:11  data, the Bates number which appears 16:50:13  at the top of this. 16:50:14  MR. O'CONNOR: Okay. So the 16:50:15  fact that the Bates number is at the 16:50:15  top here does not mean that this is a 16:50:17  copy of the document we produced? 16:50:18  MR. KO: That's that's 16:50:22  MR. O'CONNOR: Okay. Thank 16:50:22
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2 3 4 5 6 7 8 9 10 11 12 13	drug, correct? 16:48:02  MR. O'CONNOR: Objection. 16:48:04  THE WITNESS: Yes. 16:48:04  QUESTIONS BY MR. KO: 16:48:05  Q. In other words, you could 16:48:05  determine you could sort by all oxy 15s or 16:48:06  30s that Mallinckrodt was sending to a 16:48:13  particular customer, correct? 16:48:14  A. Yes. 16:48:16  (Mallinckrodt-Harper Exhibit 25 16:48:19  marked for identification.) 16:48:20  QUESTIONS BY MR. KO: 16:48:20  Q. Okay. I'm going to hand you a 16:48:20  copy of what's going to be marked as 16:48:22	2 3 4 5 6 7 8 9 10 11 12 13 14	you've prepared based on produced data?  MR. KO: Based on produced 16:50:11  MR. KO: Based on produced 16:50:11  data, the Bates number which appears 16:50:13  at the top of this. 16:50:14  MR. O'CONNOR: Okay. So the 16:50:15  fact that the Bates number is at the 16:50:15  top here does not mean that this is a 16:50:17  copy of the document we produced? 16:50:18  MR. KO: That's that's 16:50:20  right. 16:50:22  MR. O'CONNOR: Okay. Thank 16:50:22  you. 16:50:24  MR. KO: This itself is not a 16:50:24
2 3 4 5 6 7 8 9 10 11 12 13 14 15	drug, correct?  MR. O'CONNOR: Objection.  THE WITNESS: Yes.  QUESTIONS BY MR. KO:  In other words, you could  determine you could sort by all oxy 15s or 16:48:06  30s that Mallinckrodt was sending to a 16:48:13  particular customer, correct?  A. Yes.  (Mallinckrodt-Harper Exhibit 25 16:48:19  marked for identification.)  QUESTIONS BY MR. KO:  Q. Okay. I'm going to hand you a 16:48:20  copy of what's going to be marked as 16:48:22  Exhibit 25.	2 3 4 5 6 7 8 9 10 11 12 13 14 15	you've prepared based on produced data?  16:50:11  MR. KO: Based on produced 16:50:11  data, the Bates number which appears 16:50:13  at the top of this. 16:50:14  MR. O'CONNOR: Okay. So the 16:50:15  fact that the Bates number is at the 16:50:15  top here does not mean that this is a 16:50:17  copy of the document we produced? 16:50:18  MR. KO: That's that's 16:50:22  MR. O'CONNOR: Okay. Thank 16:50:22  you. 16:50:24  MR. KO: This itself is not a 16:50:27
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	drug, correct? 16:48:02  MR. O'CONNOR: Objection. 16:48:04  THE WITNESS: Yes. 16:48:04  QUESTIONS BY MR. KO: 16:48:05  Q. In other words, you could 16:48:05  determine you could sort by all oxy 15s or 16:48:06  30s that Mallinckrodt was sending to a 16:48:13  particular customer, correct? 16:48:14  A. Yes. 16:48:16  (Mallinckrodt-Harper Exhibit 25 16:48:19  marked for identification.) 16:48:20  QUESTIONS BY MR. KO: 16:48:20  Q. Okay. I'm going to hand you a 16:48:20  copy of what's going to be marked as 16:48:22  Exhibit 25. 16:48:25  And I will represent to counsel 16:48:30	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	you've prepared based on produced data?  16:50:11  MR. KO: Based on produced 16:50:11  data, the Bates number which appears 16:50:13  at the top of this. 16:50:14  MR. O'CONNOR: Okay. So the 16:50:15  fact that the Bates number is at the 16:50:15  top here does not mean that this is a 16:50:17  copy of the document we produced? 16:50:18  MR. KO: That's that's 16:50:22  MR. O'CONNOR: Okay. Thank 16:50:22  you. 16:50:24  MR. KO: This itself is not a 16:50:24  copy of a document that you produced 16:50:27  but is instead based on the 16:50:29
2 3 4 5 6 7 8 9 10 11 12 13 14 15	drug, correct?  MR. O'CONNOR: Objection.  THE WITNESS: Yes.  16:48:04  QUESTIONS BY MR. KO:  16:48:05  Q. In other words, you could 16:48:05  determine you could sort by all oxy 15s or 16:48:06  30s that Mallinckrodt was sending to a 16:48:13  particular customer, correct?  16:48:14  A. Yes.  16:48:16  (Mallinckrodt-Harper Exhibit 25 16:48:19  marked for identification.)  QUESTIONS BY MR. KO:  16:48:20  QUESTIONS BY MR. KO:  16:48:20  copy of what's going to be marked as 16:48:22  Exhibit 25.  And I will represent to counsel 16:48:30  and for the record that this is a 16:48:32	2 3 4 5 6 7 8 9 10 11 12 13 14 15	you've prepared based on produced data?  MR. KO: Based on produced 16:50:11  MR. KO: Based on produced 16:50:11  data, the Bates number which appears 16:50:13  at the top of this. 16:50:14  MR. O'CONNOR: Okay. So the 16:50:15  fact that the Bates number is at the 16:50:15  top here does not mean that this is a 16:50:17  copy of the document we produced? 16:50:18  MR. KO: That's that's 16:50:20  right. 16:50:22  MR. O'CONNOR: Okay. Thank 16:50:22  you. 16:50:24  copy of a document that you produced 16:50:27  but is instead based on the 16:50:29  information that is appears on this 16:50:30
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	drug, correct?  MR. O'CONNOR: Objection.  THE WITNESS: Yes.  16:48:04  QUESTIONS BY MR. KO:  16:48:05  Q. In other words, you could  determine you could sort by all oxy 15s or 16:48:06  30s that Mallinckrodt was sending to a 16:48:13  particular customer, correct?  16:48:14  A. Yes.  16:48:16  (Mallinckrodt-Harper Exhibit 25 16:48:19  marked for identification.)  16:48:20  QUESTIONS BY MR. KO:  16:48:20  QUESTIONS BY MR. KO:  16:48:20  copy of what's going to be marked as 16:48:20  copy of what's going to be marked as 16:48:20  and for the record that this is a 16:48:30  and for the record that this is a 16:48:32  demonstrative chart that we have prepared 16:48:33  based on chargeback data that you had pulled 16:48:36  for Harvard.  16:48:48  moment, but again, to be clear, you had run 16:48:51	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	you've prepared based on produced data?  16:50:11  MR. KO: Based on produced 16:50:11  data, the Bates number which appears 16:50:13  at the top of this.  16:50:14  MR. O'CONNOR: Okay. So the 16:50:15  fact that the Bates number is at the 16:50:15  top here does not mean that this is a 16:50:17  copy of the document we produced? 16:50:18  MR. KO: That's that's 16:50:22  MR. O'CONNOR: Okay. Thank 16:50:22  MR. O'CONNOR: Okay. Thank 16:50:24  MR. KO: This itself is not a 16:50:24  copy of a document that you produced 16:50:27  but is instead based on the 16:50:29  information that is appears on this 16:50:30  Bates number. 16:50:32  MR. O'CONNOR: Thank you. 16:50:33  Q. Now, I'll represent to you that 16:50:36  this Bates number or this document 16:50:38
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR. O'CONNOR: Objection. 16:48:04 THE WITNESS: Yes. 16:48:04 QUESTIONS BY MR. KO: 16:48:05 Q. In other words, you could 16:48:05 determine you could sort by all oxy 15s or 16:48:06 30s that Mallinckrodt was sending to a 16:48:13 particular customer, correct? 16:48:14 A. Yes. 16:48:16 (Mallinckrodt-Harper Exhibit 25 16:48:19 marked for identification.) 16:48:20 QUESTIONS BY MR. KO: 16:48:20 QUESTIONS BY MR. KO: 16:48:20 copy of what's going to be marked as 16:48:22 Exhibit 25. 16:48:25 And I will represent to counsel 16:48:30 and for the record that this is a 16:48:32 demonstrative chart that we have prepared 16:48:33 based on chargeback data that you had pulled 16:48:36 for Harvard. 16:48:39 And we can refer to it in a 16:48:48 moment, but again, to be clear, you had run 16:48:51 chargeback reports in connection with 16:48:55	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	you've prepared based on produced data? 16:50:11  MR. KO: Based on produced 16:50:11  data, the Bates number which appears 16:50:13  at the top of this. 16:50:14  MR. O'CONNOR: Okay. So the 16:50:15  fact that the Bates number is at the 16:50:15  top here does not mean that this is a 16:50:17  copy of the document we produced? 16:50:18  MR. KO: That's that's 16:50:20  right. 16:50:22  MR. O'CONNOR: Okay. Thank 16:50:22  you. 16:50:24  Copy of a document that you produced 16:50:27  but is instead based on the 16:50:29  information that is appears on this 16:50:30  Bates number. 16:50:32  MR. O'CONNOR: Thank you. 16:50:32  QUESTIONS BY MR. KO: 16:50:33  Q. Now, I'll represent to you that 16:50:36  this Bates number or this document 16:50:38  reflects that Harvard Drug was doing business 16:50:44
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR. O'CONNOR: Objection. 16:48:04 THE WITNESS: Yes. 16:48:04 QUESTIONS BY MR. KO: 16:48:05 Q. In other words, you could 16:48:05 determine you could sort by all oxy 15s or 16:48:06 30s that Mallinckrodt was sending to a 16:48:13 particular customer, correct? 16:48:14 A. Yes. 16:48:16 (Mallinckrodt-Harper Exhibit 25 16:48:19 marked for identification.) 16:48:20 QUESTIONS BY MR. KO: 16:48:20 QUESTIONS BY MR. KO: 16:48:20 copy of what's going to be marked as 16:48:22 Exhibit 25. 16:48:25 And I will represent to counsel 16:48:30 and for the record that this is a 16:48:32 demonstrative chart that we have prepared 16:48:33 based on chargeback data that you had pulled 16:48:36 for Harvard. 16:48:39 And we can refer to it in a 16:48:48 moment, but again, to be clear, you had run 16:48:51 chargeback reports in connection with 16:48:55	2 3 4 4 5 6 7 8 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	you've prepared based on produced data? 16:50:11  MR. KO: Based on produced 16:50:11  data, the Bates number which appears 16:50:13  at the top of this. 16:50:14  MR. O'CONNOR: Okay. So the 16:50:15  fact that the Bates number is at the 16:50:15  top here does not mean that this is a 16:50:17  copy of the document we produced? 16:50:18  MR. KO: That's that's 16:50:20  right. 16:50:22  MR. O'CONNOR: Okay. Thank 16:50:22  you. 16:50:24  Copy of a document that you produced 16:50:27  but is instead based on the 16:50:29  information that is appears on this 16:50:30  Bates number. 16:50:32  MR. O'CONNOR: Thank you. 16:50:32  QUESTIONS BY MR. KO: 16:50:33  Q. Now, I'll represent to you that 16:50:36  this Bates number or this document 16:50:38  reflects that Harvard Drug was doing business 16:50:44

- 1	D 202	T	D 204
1	Page 382	1	Page 384
1	aware of certain transactions or pills that 16:50:56	1	enough information to answer that question. 16:53:37
2	were being sent to a First Veterinary Supply? 16:50:58	2	Q. Okay. But if you look at 16:53:39
3	A. No. 16:51:00	3	Florida percent POs do you see that? 16:53:40  A. I do. 16:53:43
5	Q. Okay. Would you agree with me 16:51:02	5	
6	that sending pills to a prescription 16:51:03 opioids to a veterinarian clinic would be 16:51:07	6	Q. Okay. And is that in the 16:53:44 chargeback data, you had been able to 16:53:47
7	opioids to a veterinarian clinic would be 16:51:07 suspicious or potentially suspicious? 16:51:14	7	determine what percentage of purchase orders 16:53:51
8		8	went to Florida, correct? 16:53:55
9	MR. O'CONNOR: Object to form. 16:51:15 THE WITNESS: That depends on 16:51:16	9	A. No. 16:53:56
10	the product and the quantities. 16:51:18	10	Q. You did not? 16:54:01
11	QUESTIONS BY MR. KO: 16:51:19	11	A. No. 16:54:02
12		12	
	Q. Okay. Do you recall shipping 16:51:19		
13	prescription opioids to vet clinics? 16:51:23	13	through the chargeback data you knew you 16:54:08 could understand, as we discussed earlier, 16:54:11
	A. I cannot say if we did or did 16:51:25	14	
15	not. 16:51:26	15	where the pills that you sold to the 16:54:13 distributors were going? 16:54:16
16	Q. Okay. Harvard Drug do you 16:51:27 recall when Harvard Drug had its license 16:51:41	16	
17	C	17 18	A. Yes, but in this context, I 16:54:17 believe the purchase order to be the purchase 16:54:20
18	suspended by the DEA? 16:51:44  A. 2010 or before, around that 16:51:45	19	order from Harvard to Mallinckrodt as the 16:54:22
20	A. 2010 or before, around that 16:51:45 time. 16:51:51	20	supplier, not forward through the supply 16:54:25
21		21	chain. 16:54:27
		22	
22	r		Q. Okay. So it's your 16:54:27
23	pills diversion of pills by certain 16:51:58	23	understanding that this is just well, 16:54:28
24	customers that they sold to, correct? 16:52:05	24	Harvard Drug, do you know where they were 16:54:32 located? 16:54:35
25	MR. O'CONNOR: Object to form. 16:52:07	25	10.34.55
	D 202		D 20#
	Page 383		Page 385
1	THE WITNESS: Yes. 16:52:08	1	A. I believe Wisconsin. Page 385 A. I believe Wisconsin.
1 2	_	1 2	-
	THE WITNESS: Yes. 16:52:08		A. I believe Wisconsin. 16:54:35
2	THE WITNESS: Yes. 16:52:08 QUESTIONS BY MR. KO: 16:52:10	2	A. I believe Wisconsin. 16:54:35 Q. Okay. I think they were in 16:54:37
2 3	THE WITNESS: Yes. 16:52:08  QUESTIONS BY MR. KO: 16:52:10  Q. Okay. And would you agree with 16:52:10	2 3	A. I believe Wisconsin. 16:54:35 Q. Okay. I think they were in 16:54:37 Michigan, but somewhere in the Midwest. 16:54:40
2 3 4	THE WITNESS: Yes. 16:52:08  QUESTIONS BY MR. KO: 16:52:10  Q. Okay. And would you agree with 16:52:10  me that First Vet Supply is not a physician 16:52:25	2 3 4	A. I believe Wisconsin. 16:54:35 Q. Okay. I think they were in 16:54:37 Michigan, but somewhere in the Midwest. 16:54:40 A. All right. 16:54:42
2 3 4 5	THE WITNESS: Yes. 16:52:08  QUESTIONS BY MR. KO: 16:52:10  Q. Okay. And would you agree with 16:52:10  me that First Vet Supply is not a physician 16:52:25  or a pain clinic? 16:52:30	2 3 4 5	A. I believe Wisconsin. 16:54:35 Q. Okay. I think they were in 16:54:37 Michigan, but somewhere in the Midwest. 16:54:40 A. All right. 16:54:42 Q. So you're saying that this is 16:54:42
2 3 4 5 6	THE WITNESS: Yes. 16:52:08  QUESTIONS BY MR. KO: 16:52:10  Q. Okay. And would you agree with 16:52:10  me that First Vet Supply is not a physician 16:52:25  or a pain clinic? 16:52:30  A. I don't know their business 16:52:32	2 3 4 5 6	A. I believe Wisconsin. 16:54:35 Q. Okay. I think they were in 16:54:37 Michigan, but somewhere in the Midwest. 16:54:40 A. All right. 16:54:42 Q. So you're saying that this is 16:54:42 the percentage of initial pills that go to 16:54:43
2 3 4 5 6 7	THE WITNESS: Yes. 16:52:08  QUESTIONS BY MR. KO: 16:52:10  Q. Okay. And would you agree with 16:52:10  me that First Vet Supply is not a physician 16:52:25  or a pain clinic? 16:52:30  A. I don't know their business 16:52:32  model. I don't is their DEA registration 16:52:34	2 3 4 5 6 7	A. I believe Wisconsin. 16:54:35 Q. Okay. I think they were in 16:54:37 Michigan, but somewhere in the Midwest. 16:54:40 A. All right. 16:54:42 Q. So you're saying that this is 16:54:42 the percentage of initial pills that go to 16:54:43 the distributor? 16:54:47
2 3 4 5 6 7 8	THE WITNESS: Yes. 16:52:08  QUESTIONS BY MR. KO: 16:52:10  Q. Okay. And would you agree with 16:52:10  me that First Vet Supply is not a physician 16:52:25  or a pain clinic? 16:52:30  A. I don't know their business 16:52:32  model. I don't is their DEA registration 16:52:34  number the same as Harvard Drug Group? 16:52:38  Q. I believe that to be the case, 16:52:42  actually. 16:52:44	2 3 4 5 6 7 8	A. I believe Wisconsin. 16:54:35 Q. Okay. I think they were in 16:54:37 Michigan, but somewhere in the Midwest. 16:54:40 A. All right. 16:54:42 Q. So you're saying that this is 16:54:42 the percentage of initial pills that go to 16:54:43 the distributor? 16:54:47 A. Again, these are purchase 16:54:48 orders. They could have been for 100 pills 16:54:51 or a million pills. I don't have enough 16:54:55
2 3 4 5 6 7 8	THE WITNESS: Yes. 16:52:08  QUESTIONS BY MR. KO: 16:52:10  Q. Okay. And would you agree with 16:52:10  me that First Vet Supply is not a physician 16:52:25  or a pain clinic? 16:52:30  A. I don't know their business 16:52:32  model. I don't is their DEA registration 16:52:34  number the same as Harvard Drug Group? 16:52:38  Q. I believe that to be the case, 16:52:42  actually. 16:52:44  A. So, many of our distributors 16:52:44	2 3 4 5 6 7 8	A. I believe Wisconsin. 16:54:35 Q. Okay. I think they were in 16:54:37 Michigan, but somewhere in the Midwest. 16:54:40 A. All right. 16:54:42 Q. So you're saying that this is 16:54:42 the percentage of initial pills that go to 16:54:43 the distributor? 16:54:47 A. Again, these are purchase 16:54:48 orders. They could have been for 100 pills 16:54:51
2 3 4 5 6 7 8 9	THE WITNESS: Yes. 16:52:08  QUESTIONS BY MR. KO: 16:52:10  Q. Okay. And would you agree with 16:52:10  me that First Vet Supply is not a physician 16:52:25  or a pain clinic? 16:52:30  A. I don't know their business 16:52:32  model. I don't is their DEA registration 16:52:34  number the same as Harvard Drug Group? 16:52:38  Q. I believe that to be the case, 16:52:42  actually. 16:52:44  had d/b/a second lines, and that's a my 16:52:54	2 3 4 5 6 7 8 9	A. I believe Wisconsin. 16:54:35 Q. Okay. I think they were in 16:54:37 Michigan, but somewhere in the Midwest. 16:54:40 A. All right. 16:54:42 Q. So you're saying that this is 16:54:42 the percentage of initial pills that go to 16:54:43 the distributor? 16:54:47 A. Again, these are purchase 16:54:48 orders. They could have been for 100 pills 16:54:51 or a million pills. I don't have enough 16:54:55 information to answer the question. 16:54:57 Q. Okay. Turn to the second page 16:54:58
2 3 4 5 6 7 8 9 10	THE WITNESS: Yes. 16:52:08  QUESTIONS BY MR. KO: 16:52:10  Q. Okay. And would you agree with 16:52:10  me that First Vet Supply is not a physician 16:52:25  or a pain clinic? 16:52:30  A. I don't know their business 16:52:32  model. I don't is their DEA registration 16:52:34  number the same as Harvard Drug Group? 16:52:38  Q. I believe that to be the case, 16:52:42  actually. 16:52:44  A. So, many of our distributors 16:52:44	2 3 4 5 6 7 8 9 10	A. I believe Wisconsin. 16:54:35 Q. Okay. I think they were in 16:54:37 Michigan, but somewhere in the Midwest. 16:54:40 A. All right. 16:54:42 Q. So you're saying that this is 16:54:42 the percentage of initial pills that go to 16:54:43 the distributor? 16:54:47 A. Again, these are purchase 16:54:48 orders. They could have been for 100 pills 16:54:51 or a million pills. I don't have enough 16:54:55 information to answer the question. 16:54:57
2 3 4 5 6 7 8 9 10 11	THE WITNESS: Yes. 16:52:08  QUESTIONS BY MR. KO: 16:52:10  Q. Okay. And would you agree with 16:52:10  me that First Vet Supply is not a physician 16:52:25  or a pain clinic? 16:52:30  A. I don't know their business 16:52:32  model. I don't is their DEA registration 16:52:34  number the same as Harvard Drug Group? 16:52:38  Q. I believe that to be the case, 16:52:42  actually. 16:52:44  A. So, many of our distributors 16:52:44  had d/b/a second lines, and that's a my 16:52:54  understanding is a legal term implying the 16:52:57  organization of a corporation. So I only 16:52:59	2 3 4 5 6 7 8 9 10 11	A. I believe Wisconsin. 16:54:35 Q. Okay. I think they were in 16:54:37 Michigan, but somewhere in the Midwest. 16:54:40 A. All right. 16:54:42 Q. So you're saying that this is 16:54:42 the percentage of initial pills that go to 16:54:43 the distributor? 16:54:47 A. Again, these are purchase 16:54:48 orders. They could have been for 100 pills 16:54:51 or a million pills. I don't have enough 16:54:55 information to answer the question. 16:54:57 Q. Okay. Turn to the second page 16:54:58
2 3 4 5 6 7 8 9 10 11 12 13	THE WITNESS: Yes. 16:52:08  QUESTIONS BY MR. KO: 16:52:10  Q. Okay. And would you agree with 16:52:10  me that First Vet Supply is not a physician 16:52:25  or a pain clinic? 16:52:30  A. I don't know their business 16:52:32  model. I don't is their DEA registration 16:52:34  number the same as Harvard Drug Group? 16:52:38  Q. I believe that to be the case, 16:52:42  actually. 16:52:44  A. So, many of our distributors 16:52:44  had d/b/a second lines, and that's a my 16:52:54  understanding is a legal term implying the 16:52:57	2 3 4 5 6 7 8 9 10 11 12 13	A. I believe Wisconsin. 16:54:35 Q. Okay. I think they were in 16:54:37 Michigan, but somewhere in the Midwest. 16:54:40 A. All right. 16:54:42 Q. So you're saying that this is 16:54:42 the percentage of initial pills that go to 16:54:43 the distributor? 16:54:47 A. Again, these are purchase 16:54:48 orders. They could have been for 100 pills 16:54:51 or a million pills. I don't have enough 16:54:55 information to answer the question. 16:54:57 Q. Okay. Turn to the second page 16:54:58 of this document. And so these these 16:55:06
2 3 4 5 6 7 8 9 10 11 12 13	THE WITNESS: Yes. 16:52:08  QUESTIONS BY MR. KO: 16:52:10  Q. Okay. And would you agree with 16:52:10  me that First Vet Supply is not a physician 16:52:25  or a pain clinic? 16:52:30  A. I don't know their business 16:52:32  model. I don't is their DEA registration 16:52:34  number the same as Harvard Drug Group? 16:52:38  Q. I believe that to be the case, 16:52:42  actually. 16:52:44  A. So, many of our distributors 16:52:44  had d/b/a second lines, and that's a my 16:52:54  understanding is a legal term implying the 16:52:57  organization of a corporation. So I only 16:52:59	2 3 4 5 6 7 8 9 10 11 12 13 14	A. I believe Wisconsin. 16:54:35 Q. Okay. I think they were in 16:54:37 Michigan, but somewhere in the Midwest. 16:54:40 A. All right. 16:54:42 Q. So you're saying that this is 16:54:42 the percentage of initial pills that go to 16:54:43 the distributor? 16:54:47 A. Again, these are purchase 16:54:48 orders. They could have been for 100 pills 16:54:51 or a million pills. I don't have enough 16:54:55 information to answer the question. 16:54:57 Q. Okay. Turn to the second page 16:54:58 of this document. And so these these 16:55:06 columns, by the way, are taken straight from 16:55:14
2 3 4 5 6 7 8 9 10 11 12 13 14 15	THE WITNESS: Yes. 16:52:08  QUESTIONS BY MR. KO: 16:52:10  Q. Okay. And would you agree with 16:52:10  me that First Vet Supply is not a physician 16:52:25  or a pain clinic? 16:52:30  A. I don't know their business 16:52:32  model. I don't is their DEA registration 16:52:34  number the same as Harvard Drug Group? 16:52:38  Q. I believe that to be the case, 16:52:42  actually. 16:52:44  A. So, many of our distributors 16:52:44  had d/b/a second lines, and that's a my 16:52:54  understanding is a legal term implying the 16:52:57  organization of a corporation. So I only 16:52:59  knew this customer as Harvard Drug. 16:53:01	2 3 4 5 6 7 8 9 10 11 12 13 14	A. I believe Wisconsin. 16:54:35 Q. Okay. I think they were in 16:54:37 Michigan, but somewhere in the Midwest. 16:54:40 A. All right. 16:54:42 Q. So you're saying that this is 16:54:42 the percentage of initial pills that go to 16:54:43 the distributor? 16:54:47 A. Again, these are purchase 16:54:48 orders. They could have been for 100 pills 16:54:51 or a million pills. I don't have enough 16:54:55 information to answer the question. 16:54:58 of this document. And so these these 16:55:06 columns, by the way, are taken straight from 16:55:14 the I'll represent to you that they're 16:55:16
2 3 4 5 6 7 8 9 10 11 12 13 14 15	THE WITNESS: Yes. 16:52:08  QUESTIONS BY MR. KO: 16:52:10  Q. Okay. And would you agree with 16:52:10  me that First Vet Supply is not a physician 16:52:25  or a pain clinic? 16:52:30  A. I don't know their business 16:52:32  model. I don't is their DEA registration 16:52:34  number the same as Harvard Drug Group? 16:52:38  Q. I believe that to be the case, 16:52:42  actually. 16:52:44  A. So, many of our distributors 16:52:44  had d/b/a second lines, and that's a my 16:52:54  understanding is a legal term implying the 16:52:57  organization of a corporation. So I only 16:52:59  knew this customer as Harvard Drug. 16:53:01  Q. Okay. Setting aside the name, 16:53:03	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. I believe Wisconsin. 16:54:35 Q. Okay. I think they were in 16:54:37 Michigan, but somewhere in the Midwest. 16:54:40 A. All right. 16:54:42 Q. So you're saying that this is 16:54:42 the percentage of initial pills that go to 16:54:43 the distributor? 16:54:47 A. Again, these are purchase 16:54:48 orders. They could have been for 100 pills 16:54:51 or a million pills. I don't have enough 16:54:55 information to answer the question. 16:54:57 Q. Okay. Turn to the second page 16:54:58 of this document. And so these these 16:55:06 columns, by the way, are taken straight from 16:55:14 the I'll represent to you that they're 16:55:18
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	THE WITNESS: Yes. 16:52:08  QUESTIONS BY MR. KO: 16:52:10  Q. Okay. And would you agree with 16:52:10  me that First Vet Supply is not a physician 16:52:25  or a pain clinic? 16:52:30  A. I don't know their business 16:52:32  model. I don't is their DEA registration 16:52:34  number the same as Harvard Drug Group? 16:52:38  Q. I believe that to be the case, 16:52:42  actually. 16:52:44  A. So, many of our distributors 16:52:44  had d/b/a second lines, and that's a my 16:52:54  understanding is a legal term implying the 16:52:57  organization of a corporation. So I only 16:52:59  knew this customer as Harvard Drug. 16:53:01  Q. Okay. Setting aside the name, 16:53:03  did you understand that a large percentage of 16:53:10	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. I believe Wisconsin. 16:54:35 Q. Okay. I think they were in 16:54:37 Michigan, but somewhere in the Midwest. 16:54:40 A. All right. 16:54:42 Q. So you're saying that this is 16:54:42 the percentage of initial pills that go to 16:54:43 the distributor? 16:54:47 A. Again, these are purchase 16:54:48 orders. They could have been for 100 pills 16:54:51 or a million pills. I don't have enough 16:54:55 information to answer the question. 16:54:57 Q. Okay. Turn to the second page 16:54:58 of this document. And so these these 16:55:06 columns, by the way, are taken straight from 16:55:14 the I'll represent to you that they're 16:55:16 taken straight from the chargeback reports 16:55:22
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	THE WITNESS: Yes. 16:52:08  QUESTIONS BY MR. KO: 16:52:10  Q. Okay. And would you agree with 16:52:10  me that First Vet Supply is not a physician 16:52:25  or a pain clinic? 16:52:30  A. I don't know their business 16:52:32  model. I don't is their DEA registration 16:52:34  number the same as Harvard Drug Group? 16:52:38  Q. I believe that to be the case, 16:52:42  actually. 16:52:44  A. So, many of our distributors 16:52:44  had d/b/a second lines, and that's a my 16:52:54  understanding is a legal term implying the 16:52:57  organization of a corporation. So I only 16:52:59  knew this customer as Harvard Drug. 16:53:01  Q. Okay. Setting aside the name, 16:53:03  did you understand that a large percentage of 16:53:10  drugs sold by Harvard Drug were going to 16:53:15	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. I believe Wisconsin. 16:54:35 Q. Okay. I think they were in 16:54:37 Michigan, but somewhere in the Midwest. 16:54:40 A. All right. 16:54:42 Q. So you're saying that this is 16:54:42 the percentage of initial pills that go to 16:54:43 the distributor? 16:54:47 A. Again, these are purchase 16:54:48 orders. They could have been for 100 pills 16:54:51 or a million pills. I don't have enough 16:54:55 information to answer the question. 16:54:57 Q. Okay. Turn to the second page 16:54:58 of this document. And so these these 16:55:06 columns, by the way, are taken straight from 16:55:14 the I'll represent to you that they're 16:55:16 taken straight from the chargeback reports 16:55:22 And if you see on the far 16:55:25
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	THE WITNESS: Yes. 16:52:08  QUESTIONS BY MR. KO: 16:52:10  Q. Okay. And would you agree with 16:52:10  me that First Vet Supply is not a physician 16:52:25  or a pain clinic? 16:52:30  A. I don't know their business 16:52:32  model. I don't is their DEA registration 16:52:34  number the same as Harvard Drug Group? 16:52:38  Q. I believe that to be the case, 16:52:42  actually. 16:52:44  A. So, many of our distributors 16:52:44  had d/b/a second lines, and that's a my 16:52:54  understanding is a legal term implying the 16:52:57  organization of a corporation. So I only 16:52:59  knew this customer as Harvard Drug. 16:53:01  Q. Okay. Setting aside the name, 16:53:03  did you understand that a large percentage of 16:53:10  drugs sold by Harvard Drug were going to 16:53:15  Florida? And in particular, I direct you to 16:53:28  the screen that show Florida percentage. 16:53:24	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. I believe Wisconsin. 16:54:35 Q. Okay. I think they were in 16:54:37 Michigan, but somewhere in the Midwest. 16:54:40 A. All right. 16:54:42 Q. So you're saying that this is 16:54:42 the percentage of initial pills that go to 16:54:43 the distributor? 16:54:47 A. Again, these are purchase 16:54:48 orders. They could have been for 100 pills 16:54:51 or a million pills. I don't have enough 16:54:55 information to answer the question. 16:54:57 Q. Okay. Turn to the second page 16:54:58 of this document. And so these these 16:55:06 columns, by the way, are taken straight from 16:55:14 the I'll represent to you that they're 16:55:16 taken straight from the chargeback reports 16:55:22 And if you see on the far 16:55:25 right-hand side above the oxy 15 and oxy 30 16:55:27
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	THE WITNESS: Yes. 16:52:08  QUESTIONS BY MR. KO: 16:52:10  Q. Okay. And would you agree with 16:52:10  me that First Vet Supply is not a physician 16:52:25  or a pain clinic? 16:52:30  A. I don't know their business 16:52:32  model. I don't is their DEA registration 16:52:34  number the same as Harvard Drug Group? 16:52:38  Q. I believe that to be the case, 16:52:42  actually. 16:52:44  A. So, many of our distributors 16:52:44  had d/b/a second lines, and that's a my 16:52:54  understanding is a legal term implying the 16:52:57  organization of a corporation. So I only 16:52:59  knew this customer as Harvard Drug. 16:53:01  Q. Okay. Setting aside the name, 16:53:03  did you understand that a large percentage of 16:53:10  drugs sold by Harvard Drug were going to 16:53:18  the percentages that appear in the middle of 16:53:28  the screen that show Florida percentage. 16:53:28	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. I believe Wisconsin. 16:54:35 Q. Okay. I think they were in 16:54:37 Michigan, but somewhere in the Midwest. 16:54:40 A. All right. 16:54:42 Q. So you're saying that this is 16:54:42 the percentage of initial pills that go to 16:54:43 the distributor? 16:54:47 A. Again, these are purchase 16:54:48 orders. They could have been for 100 pills 16:54:51 or a million pills. I don't have enough 16:54:55 information to answer the question. 16:54:57 Q. Okay. Turn to the second page 16:54:58 of this document. And so these these 16:55:06 columns, by the way, are taken straight from 16:55:14 the I'll represent to you that they're 16:55:16 taken straight from the chargeback reports 16:55:22 And if you see on the far 16:55:25 right-hand side above the oxy 15 and oxy 30 16:55:27 sections, do you see the reference to UOM? 16:55:30
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	THE WITNESS: Yes. 16:52:08  QUESTIONS BY MR. KO: 16:52:10  Q. Okay. And would you agree with 16:52:10  me that First Vet Supply is not a physician 16:52:25  or a pain clinic? 16:52:30  A. I don't know their business 16:52:32  model. I don't is their DEA registration 16:52:34  number the same as Harvard Drug Group? 16:52:38  Q. I believe that to be the case, 16:52:42  actually. 16:52:44  A. So, many of our distributors 16:52:44  had d/b/a second lines, and that's a my 16:52:54  understanding is a legal term implying the 16:52:57  organization of a corporation. So I only 16:52:59  knew this customer as Harvard Drug. 16:53:01  Q. Okay. Setting aside the name, 16:53:03  did you understand that a large percentage of 16:53:10  drugs sold by Harvard Drug were going to 16:53:15  Florida? And in particular, I direct you to 16:53:28  the screen that show Florida percentage. 16:53:24	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. I believe Wisconsin. 16:54:35 Q. Okay. I think they were in 16:54:37 Michigan, but somewhere in the Midwest. 16:54:40 A. All right. 16:54:42 Q. So you're saying that this is 16:54:42 the percentage of initial pills that go to 16:54:43 the distributor? 16:54:47 A. Again, these are purchase 16:54:48 orders. They could have been for 100 pills 16:54:51 or a million pills. I don't have enough 16:54:55 information to answer the question. 16:54:57 Q. Okay. Turn to the second page 16:54:58 of this document. And so these these 16:55:06 columns, by the way, are taken straight from 16:55:14 the I'll represent to you that they're 16:55:16 taken straight from the chargeback reports 16:55:22 And if you see on the far 16:55:25 right-hand side above the oxy 15 and oxy 30 16:55:30 A. I do. 16:55:34
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	THE WITNESS: Yes. 16:52:08  QUESTIONS BY MR. KO: 16:52:10  Q. Okay. And would you agree with 16:52:10  me that First Vet Supply is not a physician 16:52:25  or a pain clinic? 16:52:30  A. I don't know their business 16:52:32  model. I don't is their DEA registration 16:52:34  number the same as Harvard Drug Group? 16:52:38  Q. I believe that to be the case, 16:52:42  actually. 16:52:44  A. So, many of our distributors 16:52:44  had d/b/a second lines, and that's a my 16:52:54  understanding is a legal term implying the 16:52:57  organization of a corporation. So I only 16:52:59  knew this customer as Harvard Drug. 16:53:01  Q. Okay. Setting aside the name, 16:53:03  did you understand that a large percentage of 16:53:10  drugs sold by Harvard Drug were going to 16:53:18  the percentages that appear in the middle of 16:53:28  the screen that show Florida percentage. 16:53:28	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. I believe Wisconsin. 16:54:35 Q. Okay. I think they were in 16:54:37 Michigan, but somewhere in the Midwest. 16:54:40 A. All right. 16:54:42 Q. So you're saying that this is 16:54:42 the percentage of initial pills that go to 16:54:43 the distributor? 16:54:47 A. Again, these are purchase 16:54:48 orders. They could have been for 100 pills 16:54:51 or a million pills. I don't have enough 16:54:55 information to answer the question. 16:54:57 Q. Okay. Turn to the second page 16:54:58 of this document. And so these these 16:55:06 columns, by the way, are taken straight from 16:55:14 the I'll represent to you that they're 16:55:16 taken straight from the chargeback reports 16:55:18 that are reflected by this Bates number. 16:55:22 And if you see on the far 16:55:25 right-hand side above the oxy 15 and oxy 30 16:55:30 A. I do. 16:55:34 Q. And what's your understanding 16:55:34
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	THE WITNESS: Yes. 16:52:08  QUESTIONS BY MR. KO: 16:52:10  Q. Okay. And would you agree with 16:52:10  me that First Vet Supply is not a physician 16:52:25  or a pain clinic? 16:52:30  A. I don't know their business 16:52:32  model. I don't is their DEA registration 16:52:34  number the same as Harvard Drug Group? 16:52:38  Q. I believe that to be the case, 16:52:42  actually. 16:52:44  A. So, many of our distributors 16:52:44  had d/b/a second lines, and that's a my 16:52:54  understanding is a legal term implying the 16:52:57  organization of a corporation. So I only 16:52:59  knew this customer as Harvard Drug. 16:53:01  Q. Okay. Setting aside the name, 16:53:03  did you understand that a large percentage of 16:53:10  drugs sold by Harvard Drug were going to 16:53:15  Florida? And in particular, I direct you to 16:53:28  the percentages that appear in the middle of 16:53:28  the screen that show Florida percentage. 16:53:24  A. So total POs doesn't tell me 16:53:28  number of drugs. They could have been 16:53:30	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. I believe Wisconsin. 16:54:35 Q. Okay. I think they were in 16:54:37 Michigan, but somewhere in the Midwest. 16:54:40 A. All right. 16:54:42 Q. So you're saying that this is 16:54:42 the percentage of initial pills that go to 16:54:43 the distributor? 16:54:47 A. Again, these are purchase 16:54:48 orders. They could have been for 100 pills 16:54:51 or a million pills. I don't have enough 16:54:55 information to answer the question. 16:54:57 Q. Okay. Turn to the second page 16:54:58 of this document. And so these these 16:55:06 columns, by the way, are taken straight from 16:55:14 the I'll represent to you that they're 16:55:16 taken straight from the chargeback reports 16:55:18 that are reflected by this Bates number. 16:55:22 And if you see on the far 16:55:25 right-hand side above the oxy 15 and oxy 30 16:55:30 A. I do. 16:55:34 Q. And what's your understanding 16:55:34 of UOM? 16:55:35

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	Page 386		Page 388
1	be synonymous with, for example, a pill? 16:55:40	1	THE WITNESS: So this report 16:57:44
2	A. Yes. 16:55:44	2	that you extracted from our production 16:57:48
3	Q. So that's the actual amount of 16:55:45	3	information, it is it is data that 16:57:51
4	pills that are being shipped for that 16:55:47	4	for certain came to me? 16:57:54
5	particular order, correct? 16:55:51	5	QUESTIONS BY MR. KO: 16:57:57
6	A. It this is a monthly total, 16:55:53	6	Q. Uh-huh. 16:57:59
7	so, yes, if we're yes, I'm sorry, I didn't 16:55:59	7	A. It is? 16:58:00
8	have the correlation to that a PO equals 16:56:04	8	Q. No. Yes, this is this is 16:58:01
9	one month in I'm just not familiar with 16:56:08	9	data based on chargeback reports that were 16:58:03
10	the spreadsheet, so, yes. 16:56:10	10	requested at the direction of you, correct. 16:58:07
11	Q. Yeah, fair enough. 16:56:12	11	A. I I don't know. 16:58:11
12	And on the on this document 16:56:13	12	Q. Okay. That wasn't my question. 16:58:15
13	there's an indication also of Florida 16:56:18	13	A. Okay. 16:58:17
14	percentage sales, quantity government UOM. 16:56:21	14	Q. I'll represent to you that 16:58:17
15	Do you see that? 16:56:24	15	these chargeback reports were run in 16:58:18
16	A. Yes. 16:56:24	16	connection with your investigation of where 16:58:21
17	Q. Do you recall that particular 16:56:25	17	your pills were going. 16:58:24
18	data field in the chargeback information? 16:56:28	18	So my question to you simply 16:58:25
19	A. Yes. 16:56:30	19	is: Were you aware at the time or is it 16:58:28
20	Q. Okay. And so does that reflect 16:56:31	20	suspicious separate and apart from the 16:58:32
21	the percentage of pills that went to 16:56:33	21	process of running this report 16:58:34
22	downstream customers of Mallinckrodt? 16:56:37	22	A. Uh-huh. 16:58:36
23	MR. O'CONNOR: Object to form. 16:56:40	23	Q is it suspicious to you that 16:58:36
24	QUESTIONS BY MR. KO: 16:56:45	24	90 percent of all pills that you shipped to 16:58:40
25	Q. In other words let me ask it 16:56:46	25	Harvard Drug end up going to Florida? 16:58:44
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1	a different way. 16:56:47	1	MR. O'CONNOR: Object to form. 16:58:47
2	Does this percentage reflect 16:56:47	2	THE WITNESS: Yes, it appears 16:58:48
3	the total percentage of pills relative to the 16:56:49	3	to be a disproportionate percentage of 16:59:24
4	total order that ended up in Florida? 16:56:52	4	this product going into Florida. 16:59:28
5	MR. O'CONNOR: Object to form. 16:56:55	5	QUESTIONS BY MR. KO: 16:59:30
6	THE WITNESS: Yes. 16:56:55	6	Q. Okay. Thank you for waiting. 16:59:30
7	QUESTIONS BY MR. KO: 16:56:56	7	A. It's all right. 16:59:31
8	Q. Okay. So you'll see that the 16:56:56	8	Q. And based on this review of 16:59:32
9	summary indicates below that from the fourth 16:57:00	9	Harvard chargeback information, did you also 16:59:41
10	quarter 2008 through the second quarter of 16:57:04	10	conclude that Harvard's suspicious order 16:59:45
11	2010, that at least with respect to oxy 15s, 16:57:06	11	monitoring system was inadequate? 16:59:47
12	90.5 percent of Mallinckrodt pills that were 16:57:13	12	A. Can you tell me when I don't 16:59:52
13	sold to Harvard ended up in Florida. 16:57:17	13	know when Harvard was suspended. So was this 16:59:54
14	Do you see that? 16:57:20	14	after their suspension that I had the report 16:59:56
15	A. Yes. 16:57:21	15	pulled? 16:59:59
16	Q. Okay. And likewise with 16:57:22	16	Q. Well, I would say separate and 16:59:59
17	respect to oxy 30s during that same time 16:57:23	17	apart from these numbers 17:00:01
18	period, 88 percent ended up in Florida, 16:57:27	18	A. Okay. 17:00:04
19	correct? 16:57:31	19	Q did you review chargeback 17:00:04
20	A. Yes. 16:57:31	20	data to make the determination of whether or 17:00:07
21	Q. Okay. Was it suspicious to you 16:57:31	21	not Harvard's suspicious order monitoring 17:00:10
22	at the time that such a disproportionate 16:57:37	22	system was effective? 17:00:12
23	percentage of pills were ending up in 16:57:41	23	MR. O'CONNOR: Object to form. 17:00:14
24	Florida? 16:57:43	24	THE WITNESS: I don't know. I 17:00:14
25	MR. O'CONNOR: Object to form. 16:57:43	25	don't know how to answer the question. 17:00:20
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1	QUESTIONS BY MR. KO: 17:00:23	1	going after you shipped them to the 17:01:57
2	Q. Okay. Do you recall a period 17:00:23	2	distributor, correct? 17:01:59
3	of time, or do you recall ever reviewing the 17:00:24	3	MR. O'CONNOR: Object to form. 17:02:00
4	suspicious order monitoring systems of your 17:00:26	4	THE WITNESS: That's one of the 17:02:00
5	distributors? 17:00:29	5	reasons that pointed us to a certain 17:02:04
6	A. Of our distributors? 17:00:29	6	distributor, to go and visit them, 17:02:06
7	Q. Yes. 17:00:32	7	yes. 17:02:08
8	A. To their downstream customers? 17:00:33	8	QUESTIONS BY MR. KO: 17:02:08
9	Q. Correct. 17:00:35	9	Q. Okay. And some of this 17:02:09
10	A. Yes. 17:00:35	10	chargeback data, by the way, some of the 17:02:10
11	Q. In other words, Mallinckrodt 17:00:36	11	chargeback information was provided to you by 17:02:13
12	was the registrant in the CSA that had duties 17:00:38	12	certain distributors, correct? 17:02:15
13	to maintain effective controls against 17:00:42	13	MR. O'CONNOR: Object to form. 17:02:17
14	diversion, but so too were distributors as 17:00:44	14	THE WITNESS: No, this is our 17:02:17
15	well, correct? 17:00:46	15	information. 17:02:20
16	MR. O'CONNOR: Object to form. 17:00:47	16	QUESTIONS BY MR. KO: 17:02:20
17	THE WITNESS: Correct. 17:00:47	17	Q. Okay. In 2010 you performed 17:02:21
18	Correct. 17:00:47	18	at some point in 2010 you performed some 17:02:36
19	QUESTIONS BY MR. KO: 17:00:48	19	audits of your distributors, correct? 17:02:39
20	Q. So distributors like both 17:00:48	20	A. Yes. 17:02:41
21	Harvard or Sunrise, including the major 17:00:53	21	Q. And you recall that these 17:02:43
22	distributors like ABC, McKesson and Cardinal, 17:00:56	22	audit in these audits you actually went to 17:02:46
23	all had duties to maintain effective controls 17:00:59	23	the your customer and visited some of 17:02:51
24	against diversion, correct? 17:01:02	24	their facilities? 17:02:53
25	MS. KVESELIS: Object to form. 17:01:04	25	A. Yes. 17:02:55
	Page 391		Page 393
1	THE WITNESS: Correct. 17:01:05	1	Q. And you went to I believe 17:02:55
2	QUESTIONS BY MR. KO: 17:01:06	2	you performed on-site audits of at least 17:02:58
3	Q. And all these registrants had 17:01:06	3	Masters and KeySource; is that correct? 17:03:02
4	duties to implement and design an effective 17:01:08	4	A. Correct. 17:03:04
5	suspicious order monitoring program, correct? 17:01:11	5	Q. Okay. And these what was 17:03:04
6	MR. O'CONNOR: Object to form. 17:01:12	6	the purpose of performing these on-site 17:03:06
7	THE WITNESS: That guards 17:01:13	7	audits? 17:03:10
8	against yes, guards against 17:01:16	8	A. So we had reviewed the 17:03:11
9	diversion, yes. 17:01:18	9	purpose was to review their suspicious order 17:03:14
10	QUESTIONS BY MR. KO: 17:01:20	10	monitoring and understand which what due 17:03:19
11		11	diligence they perform when reviewing their 17:03:21
11	Q. And was there a period of time 17:01:20		
12	in which Mallinckrodt decided to perform an 17:01:21	12	customers. 17:03:24
		12 13	customers. 17:03:24 (Mallinckrodt-Harper Exhibit 26 17:03:26
12	in which Mallinckrodt decided to perform an 17:01:21 audit or a review of your distributors' SOM 17:01:25 programs? 17:01:32		(Mallinckrodt-Harper Exhibit 26 17:03:26 marked for identification.) 17:03:27
12 13	in which Mallinckrodt decided to perform an 17:01:21 audit or a review of your distributors' SOM 17:01:25	13	(Mallinckrodt-Harper Exhibit 26 17:03:26 marked for identification.) 17:03:27 QUESTIONS BY MR. KO: 17:03:27
12 13 14	in which Mallinckrodt decided to perform an 17:01:21 audit or a review of your distributors' SOM 17:01:25 programs? 17:01:32	13 14	(Mallinckrodt-Harper Exhibit 26 17:03:26 marked for identification.) 17:03:27
12 13 14 15	in which Mallinckrodt decided to perform an audit or a review of your distributors' SOM programs? 17:01:32  A. Yes. 17:01:32	13 14 15	(Mallinckrodt-Harper Exhibit 26 17:03:26 marked for identification.) 17:03:27 QUESTIONS BY MR. KO: 17:03:27
12 13 14 15 16	in which Mallinckrodt decided to perform an 17:01:21 audit or a review of your distributors' SOM 17:01:25 programs? 17:01:32  A. Yes. 17:01:32  Q. And during that review and 17:01:32	13 14 15 16	(Mallinckrodt-Harper Exhibit 26 17:03:26 marked for identification.) 17:03:27  QUESTIONS BY MR. KO: 17:03:27  Q. Okay. I'm going to hand you a 17:03:27
12 13 14 15 16 17	in which Mallinckrodt decided to perform an 17:01:21 audit or a review of your distributors' SOM 17:01:25 programs? 17:01:32  A. Yes. 17:01:32  Q. And during that review and 17:01:32 based on that review, did you make 17:01:33	13 14 15 16 17	(Mallinckrodt-Harper Exhibit 26 17:03:26 marked for identification.) 17:03:27  QUESTIONS BY MR. KO: 17:03:27  Q. Okay. I'm going to hand you a 17:03:27 copy of what's going to be marked as Harper 17:03:28
12 13 14 15 16 17 18	in which Mallinckrodt decided to perform an 17:01:21 audit or a review of your distributors' SOM 17:01:25 programs? 17:01:32  A. Yes. 17:01:32  Q. And during that review and 17:01:32 based on that review, did you make 17:01:33 determinations as to whether or not you would 17:01:36	13 14 15 16 17 18	(Mallinckrodt-Harper Exhibit 26 17:03:26 marked for identification.) 17:03:27  QUESTIONS BY MR. KO: 17:03:27  Q. Okay. I'm going to hand you a 17:03:27 copy of what's going to be marked as Harper 17:03:28  Exhibit 26. 17:03:30
12 13 14 15 16 17 18	in which Mallinckrodt decided to perform an 17:01:21 audit or a review of your distributors' SOM 17:01:25 programs? 17:01:32  A. Yes. 17:01:32  Q. And during that review and 17:01:32 based on that review, did you make 17:01:33 determinations as to whether or not you would 17:01:36 continue to ship to certain distributors? 17:01:38	13 14 15 16 17 18 19	(Mallinckrodt-Harper Exhibit 26 17:03:26 marked for identification.) 17:03:27  QUESTIONS BY MR. KO: 17:03:27  Q. Okay. I'm going to hand you a 17:03:27 copy of what's going to be marked as Harper 17:03:28  Exhibit 26. 17:03:30  And for the record, this is 17:03:33
12 13 14 15 16 17 18 19 20	in which Mallinckrodt decided to perform an 17:01:21 audit or a review of your distributors' SOM 17:01:25 programs? 17:01:32  A. Yes. 17:01:32  Q. And during that review and 17:01:32 based on that review, did you make 17:01:33 determinations as to whether or not you would 17:01:36 continue to ship to certain distributors? 17:01:38  A. Yes. 17:01:40	13 14 15 16 17 18 19 20	(Mallinckrodt-Harper Exhibit 26 17:03:26 marked for identification.) 17:03:27  QUESTIONS BY MR. KO: 17:03:27  Q. Okay. I'm going to hand you a 17:03:27 copy of what's going to be marked as Harper 17:03:28  Exhibit 26. 17:03:30  And for the record, this is 17:03:33 ends in Bates 48430. 17:03:34  I just have some general 17:03:47 questions about this, so feel free to consult 17:03:49
12 13 14 15 16 17 18 19 20 21	in which Mallinckrodt decided to perform an 17:01:21 audit or a review of your distributors' SOM 17:01:25 programs? 17:01:32  A. Yes. 17:01:32  Q. And during that review and 17:01:32 based on that review, did you make 17:01:33 determinations as to whether or not you would 17:01:36 continue to ship to certain distributors? 17:01:38  A. Yes. 17:01:40  Q. And one of the reasons for 17:01:40	13 14 15 16 17 18 19 20 21	(Mallinckrodt-Harper Exhibit 26 17:03:26 marked for identification.) 17:03:27  QUESTIONS BY MR. KO: 17:03:27  Q. Okay. I'm going to hand you a 17:03:27 copy of what's going to be marked as Harper 17:03:28  Exhibit 26. 17:03:30  And for the record, this is 17:03:33 ends in Bates 48430. 17:03:34  I just have some general 17:03:47
12 13 14 15 16 17 18 19 20 21 22	in which Mallinckrodt decided to perform an 17:01:21 audit or a review of your distributors' SOM 17:01:25 programs? 17:01:32  A. Yes. 17:01:32  Q. And during that review and 17:01:32 based on that review, did you make 17:01:33 determinations as to whether or not you would 17:01:36 continue to ship to certain distributors? 17:01:38  A. Yes. 17:01:40  Q. And one of the reasons for 17:01:40 which you decided to stop shipping to certain 17:01:46	13 14 15 16 17 18 19 20 21 22	(Mallinckrodt-Harper Exhibit 26 17:03:26 marked for identification.) 17:03:27  QUESTIONS BY MR. KO: 17:03:27  Q. Okay. I'm going to hand you a 17:03:27 copy of what's going to be marked as Harper 17:03:28  Exhibit 26. 17:03:30  And for the record, this is 17:03:33 ends in Bates 48430. 17:03:34  I just have some general 17:03:47 questions about this, so feel free to consult 17:03:49

	Page 394		Page 396
1	Masters as of December 7, 2010? 17:04:00	1	
2	A. Yes. 17:04:02	2	Q. Okay. 17:05:43 A. It's my understanding that they 17:05:44
3	Q. And so as you described, one of 17:04:03	3	have recently been reissued a DEA 17:05:47
4	the purposes of performing this audit was to 17:04:04	4	registration, so I don't know the current 17:05:49
		5	status, but from 2010 forward, no. 17:05:50
5	review Masters' suspicious order monitoring 17:04:08	6	
6	system; is that correct? 17:04:11	7	
7	A. Yes. 17:04:11		
8	Q. Okay. And do you recall 17:04:12	8	audit of Masters, you had done an on-site 17:06:00
9	actually going out to Masters Pharmaceutical 17:04:17	9	audit of KeySource as well, correct? 17:06:03
10	located in Cincinnati, Ohio? 17:04:19	10	A. Yes. 17:06:06
11	A. Yes. 17:04:20	11	Q. Do you recall any other on-site 17:06:06
12	Q. And you went there with 17:04:20	12	audits that you were you participated in? 17:06:09
13	Mr. Ratliff, correct? 17:04:21	13	A. Sunrise, previously, and then 17:06:10
14	A. Yes. 17:04:22	14	there were others subsequently. But at this 17:06:12
15	Q. And at the time you there 17:04:23	15	time I did not go to Cedardale; several of my 17:06:15
16	was some certain with respect to Masters 17:04:27	16	colleagues did. 17:06:19
17	Pharmaceutical activities, and so that 17:04:30	17	Q. Got it. 17:06:20
18	prompted the need for you and Mr. Ratliff to 17:04:32	18	So other than on-site audits 17:06:20
19	go visit; is that accurate? 17:04:35	19	performed of Cedardale, KeySource, Sunrise 17:06:23
20	A. Yes. 17:04:40	20	and Masters, are you aware of any other 17:06:28
21	Q. Okay. And by the way, Masters 17:04:40	21	on-site audits that the SOM team conducted? 17:06:30
22	Pharmaceutical also had its license suspended 17:04:42	22	A. Ever? 17:06:33
23	by the DEA at some point, correct? 17:04:43	23	Q. From in the 2009 through 2012 17:06:35
24	A. Yes. 17:04:44	24	time period. 17:06:38
25	Q. Okay. I believe that was 2014, 17:04:44	25	A. Yes. 17:06:39
	Doga 205		Page 207
1	Page 395	1	Page 397
1	but it related is it consistent with your 17:04:49	1	Q. Okay. Which additional on-site 17:06:40
2	but it related is it consistent with your 17:04:49 understanding that it related to activities 17:04:51	2	Q. Okay. Which additional on-site 17:06:40 audits did you perform? 17:06:44
2 3	but it related is it consistent with your 17:04:49 understanding that it related to activities 17:04:51 regarding their distribution of prescription 17:04:53	2 3	Q. Okay. Which additional on-site 17:06:40 audits did you perform? 17:06:44  A. We went to AmerisourceBergen, 17:06:45
2 3 4	but it related is it consistent with your 17:04:49 understanding that it related to activities 17:04:51 regarding their distribution of prescription 17:04:53 opioids in the 2008 through 2014 time period? 17:04:56	2 3 4	Q. Okay. Which additional on-site 17:06:40 audits did you perform? 17:06:44 A. We went to AmerisourceBergen, 17:06:45 McKesson, Cardinal, and I believe HD Smith, 17:06:49
2 3 4 5	but it related is it consistent with your 17:04:49 understanding that it related to activities 17:04:51 regarding their distribution of prescription 17:04:53 opioids in the 2008 through 2014 time period? 17:04:56 MR. O'CONNOR: Object to form. 17:04:59	2 3 4 5	Q. Okay. Which additional on-site 17:06:40 audits did you perform? 17:06:44 A. We went to AmerisourceBergen, 17:06:45 McKesson, Cardinal, and I believe HD Smith, 17:06:49 although yes, HD Smith, yes. 17:06:56
2 3 4 5 6	but it related is it consistent with your 17:04:49 understanding that it related to activities 17:04:51 regarding their distribution of prescription 17:04:53 opioids in the 2008 through 2014 time period? 17:04:56 MR. O'CONNOR: Object to form. 17:04:59 THE WITNESS: I don't know the 17:04:59	2 3 4 5 6	Q. Okay. Which additional on-site 17:06:40 audits did you perform? 17:06:44 A. We went to AmerisourceBergen, 17:06:45 McKesson, Cardinal, and I believe HD Smith, 17:06:49 although yes, HD Smith, yes. 17:06:56 Q. And again, the purpose of these 17:06:59
2 3 4 5 6 7	but it related is it consistent with your 17:04:49 understanding that it related to activities 17:04:51 regarding their distribution of prescription 17:04:53 opioids in the 2008 through 2014 time period? 17:04:56 MR. O'CONNOR: Object to form. 17:04:59 THE WITNESS: I don't know the 17:04:59 date of the covered conduct. 17:05:01	2 3 4 5 6 7	Q. Okay. Which additional on-site 17:06:40 audits did you perform? 17:06:44 A. We went to AmerisourceBergen, 17:06:45 McKesson, Cardinal, and I believe HD Smith, 17:06:49 although yes, HD Smith, yes. 17:06:56 Q. And again, the purpose of these 17:06:59 on-site audits was to, among other things, 17:07:01
2 3 4 5 6 7 8	but it related is it consistent with your 17:04:49 understanding that it related to activities 17:04:51 regarding their distribution of prescription 17:04:53 opioids in the 2008 through 2014 time period? 17:04:56 MR. O'CONNOR: Object to form. 17:04:59 THE WITNESS: I don't know the 17:04:59 date of the covered conduct. 17:05:01 QUESTIONS BY MR. KO: 17:05:04	2 3 4 5 6 7 8	Q. Okay. Which additional on-site 17:06:40 audits did you perform? 17:06:44  A. We went to AmerisourceBergen, 17:06:45 McKesson, Cardinal, and I believe HD Smith, 17:06:49 although yes, HD Smith, yes. 17:06:56 Q. And again, the purpose of these 17:06:59 on-site audits was to, among other things, 17:07:01 examine and understand their SOM program? 17:07:04
2 3 4 5 6 7 8	but it related is it consistent with your 17:04:49 understanding that it related to activities 17:04:51 regarding their distribution of prescription 17:04:53 opioids in the 2008 through 2014 time period? 17:04:56 MR. O'CONNOR: Object to form. 17:04:59 THE WITNESS: I don't know the 17:04:59 date of the covered conduct. 17:05:01 QUESTIONS BY MR. KO: 17:05:04 Q. Okay. Was there ever a time 17:05:04	2 3 4 5 6 7 8	Q. Okay. Which additional on-site 17:06:40 audits did you perform? 17:06:44 A. We went to AmerisourceBergen, 17:06:45 McKesson, Cardinal, and I believe HD Smith, 17:06:49 although yes, HD Smith, yes. 17:06:56 Q. And again, the purpose of these 17:06:59 on-site audits was to, among other things, 17:07:01 examine and understand their SOM program? 17:07:04 A. Yes. 17:07:05
2 3 4 5 6 7 8 9	but it related is it consistent with your 17:04:49 understanding that it related to activities 17:04:51 regarding their distribution of prescription 17:04:53 opioids in the 2008 through 2014 time period? 17:04:56 MR. O'CONNOR: Object to form. 17:04:59 THE WITNESS: I don't know the 17:04:59 date of the covered conduct. 17:05:01 QUESTIONS BY MR. KO: 17:05:04 Q. Okay. Was there ever a time 17:05:04 when you ceased or put a temporary hold on 17:05:10	2 3 4 5 6 7 8 9	Q. Okay. Which additional on-site 17:06:40 audits did you perform? 17:06:44 A. We went to AmerisourceBergen, 17:06:45 McKesson, Cardinal, and I believe HD Smith, 17:06:49 although yes, HD Smith, yes. 17:06:56 Q. And again, the purpose of these 17:06:59 on-site audits was to, among other things, 17:07:01 examine and understand their SOM program? 17:07:04 A. Yes. 17:07:05 (Mallinckrodt-Harper Exhibit 27 17:07:19
2 3 4 5 6 7 8 9 10	but it related is it consistent with your 17:04:49 understanding that it related to activities 17:04:51 regarding their distribution of prescription 17:04:53 opioids in the 2008 through 2014 time period? 17:04:56 MR. O'CONNOR: Object to form. 17:04:59 THE WITNESS: I don't know the 17:04:59 date of the covered conduct. 17:05:01 QUESTIONS BY MR. KO: 17:05:04 Q. Okay. Was there ever a time 17:05:04 when you ceased or put a temporary hold on 17:05:10 shipping orders to Masters? 17:05:13	2 3 4 5 6 7 8 9 10	Q. Okay. Which additional on-site 17:06:40 audits did you perform? 17:06:44  A. We went to AmerisourceBergen, 17:06:45 McKesson, Cardinal, and I believe HD Smith, 17:06:49 although yes, HD Smith, yes. 17:06:56 Q. And again, the purpose of these 17:06:59 on-site audits was to, among other things, 17:07:01 examine and understand their SOM program? 17:07:04 A. Yes. 17:07:05 (Mallinckrodt-Harper Exhibit 27 17:07:19 marked for identification.) 17:07:19
2 3 4 5 6 7 8 9 10 11	but it related is it consistent with your 17:04:49 understanding that it related to activities 17:04:51 regarding their distribution of prescription 17:04:53 opioids in the 2008 through 2014 time period? 17:04:56 MR. O'CONNOR: Object to form. 17:04:59 THE WITNESS: I don't know the 17:04:59 date of the covered conduct. 17:05:01 QUESTIONS BY MR. KO: 17:05:04 Q. Okay. Was there ever a time 17:05:04 when you ceased or put a temporary hold on 17:05:10 shipping orders to Masters? 17:05:13 A. Yes. 17:05:14	2 3 4 5 6 7 8 9 10 11	Q. Okay. Which additional on-site 17:06:40 audits did you perform? 17:06:44 A. We went to AmerisourceBergen, 17:06:45 McKesson, Cardinal, and I believe HD Smith, 17:06:49 although yes, HD Smith, yes. 17:06:56 Q. And again, the purpose of these 17:06:59 on-site audits was to, among other things, 17:07:01 examine and understand their SOM program? 17:07:04 A. Yes. 17:07:05 (Mallinckrodt-Harper Exhibit 27 17:07:19 marked for identification.) 17:07:19 QUESTIONS BY MR. KO: 17:07:05
2 3 4 5 6 7 8 9 10 11 12 13	but it related is it consistent with your 17:04:49 understanding that it related to activities 17:04:51 regarding their distribution of prescription 17:04:53 opioids in the 2008 through 2014 time period? 17:04:56 MR. O'CONNOR: Object to form. 17:04:59 THE WITNESS: I don't know the 17:04:59 date of the covered conduct. 17:05:01 QUESTIONS BY MR. KO: 17:05:04 Q. Okay. Was there ever a time 17:05:04 when you ceased or put a temporary hold on 17:05:10 shipping orders to Masters? 17:05:13 A. Yes. 17:05:14 Q. And that occurred at some point 17:05:14	2 3 4 5 6 7 8 9 10 11 12 13	Q. Okay. Which additional on-site 17:06:40 audits did you perform? 17:06:44 A. We went to AmerisourceBergen, 17:06:45 McKesson, Cardinal, and I believe HD Smith, 17:06:49 although yes, HD Smith, yes. 17:06:56 Q. And again, the purpose of these 17:06:59 on-site audits was to, among other things, 17:07:01 examine and understand their SOM program? 17:07:04 A. Yes. 17:07:05 (Mallinckrodt-Harper Exhibit 27 17:07:19 marked for identification.) 17:07:19 QUESTIONS BY MR. KO: 17:07:05 Q. Okay. Now, turning to you 17:07:05
2 3 4 5 6 7 8 9 10 11 12 13	but it related is it consistent with your 17:04:49 understanding that it related to activities 17:04:51 regarding their distribution of prescription 17:04:53 opioids in the 2008 through 2014 time period? 17:04:56 MR. O'CONNOR: Object to form. 17:04:59 THE WITNESS: I don't know the 17:04:59 date of the covered conduct. 17:05:01 QUESTIONS BY MR. KO: 17:05:04 Q. Okay. Was there ever a time 17:05:04 when you ceased or put a temporary hold on 17:05:10 shipping orders to Masters? 17:05:13 A. Yes. 17:05:14 Q. And that occurred at some point 17:05:16	2 3 4 5 6 7 8 9 10 11 12 13 14	Q. Okay. Which additional on-site 17:06:40 audits did you perform? 17:06:44  A. We went to AmerisourceBergen, 17:06:45 McKesson, Cardinal, and I believe HD Smith, 17:06:49 although yes, HD Smith, yes. 17:06:56 Q. And again, the purpose of these 17:06:59 on-site audits was to, among other things, 17:07:01 examine and understand their SOM program? 17:07:04 A. Yes. 17:07:05 (Mallinckrodt-Harper Exhibit 27 17:07:19 marked for identification.) 17:07:19 QUESTIONS BY MR. KO: 17:07:05 Q. Okay. Now, turning to you 17:07:05 can set that aside, and I'm going to hand you 17:07:15
2 3 4 5 6 7 8 9 10 11 12 13 14 15	but it related is it consistent with your 17:04:49 understanding that it related to activities 17:04:51 regarding their distribution of prescription 17:04:53 opioids in the 2008 through 2014 time period? 17:04:56 MR. O'CONNOR: Object to form. 17:04:59 THE WITNESS: I don't know the 17:04:59 date of the covered conduct. 17:05:01 QUESTIONS BY MR. KO: 17:05:04 Q. Okay. Was there ever a time 17:05:04 when you ceased or put a temporary hold on 17:05:10 shipping orders to Masters? 17:05:13 A. Yes. 17:05:14 Q. And that occurred at some point 17:05:16 A. Yes. 17:05:18	2 3 4 5 6 7 8 9 10 11 12 13 14	Q. Okay. Which additional on-site 17:06:40 audits did you perform? 17:06:44  A. We went to AmerisourceBergen, 17:06:45 McKesson, Cardinal, and I believe HD Smith, 17:06:49 although yes, HD Smith, yes. 17:06:56 Q. And again, the purpose of these 17:06:59 on-site audits was to, among other things, 17:07:01 examine and understand their SOM program? 17:07:04 A. Yes. 17:07:05 (Mallinckrodt-Harper Exhibit 27 17:07:19 marked for identification.) 17:07:19 QUESTIONS BY MR. KO: 17:07:05 Q. Okay. Now, turning to you 17:07:05 can set that aside, and I'm going to hand you 17:07:15 a copy of what will be marked as Exhibit 27. 17:07:17
2 3 4 5 6 7 8 9 10 11 12 13 14 15	but it related is it consistent with your 17:04:49 understanding that it related to activities 17:04:51 regarding their distribution of prescription 17:04:53 opioids in the 2008 through 2014 time period? 17:04:56	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Okay. Which additional on-site 17:06:40 audits did you perform? 17:06:44 A. We went to AmerisourceBergen, 17:06:45 McKesson, Cardinal, and I believe HD Smith, 17:06:49 although yes, HD Smith, yes. 17:06:56 Q. And again, the purpose of these 17:06:59 on-site audits was to, among other things, 17:07:01 examine and understand their SOM program? 17:07:04 A. Yes. 17:07:05 (Mallinckrodt-Harper Exhibit 27 17:07:19 marked for identification.) 17:07:19 QUESTIONS BY MR. KO: 17:07:05 Q. Okay. Now, turning to you 17:07:05 can set that aside, and I'm going to hand you 17:07:15 a copy of what will be marked as Exhibit 27. 17:07:17 And for the record, this ends 17:07:23
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	but it related is it consistent with your 17:04:49 understanding that it related to activities 17:04:51 regarding their distribution of prescription 17:04:53 opioids in the 2008 through 2014 time period? 17:04:56	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Okay. Which additional on-site 17:06:40 audits did you perform? 17:06:44  A. We went to AmerisourceBergen, 17:06:45 McKesson, Cardinal, and I believe HD Smith, 17:06:49 although yes, HD Smith, yes. 17:06:56 Q. And again, the purpose of these 17:06:59 on-site audits was to, among other things, 17:07:01 examine and understand their SOM program? 17:07:04 A. Yes. 17:07:05 (Mallinckrodt-Harper Exhibit 27 17:07:19 marked for identification.) 17:07:19 QUESTIONS BY MR. KO: 17:07:05 Q. Okay. Now, turning to you 17:07:05 can set that aside, and I'm going to hand you 17:07:15 a copy of what will be marked as Exhibit 27. 17:07:17 And for the record, this ends 17:07:23 in Bates 970734. 17:07:25
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	but it related is it consistent with your 17:04:49 understanding that it related to activities 17:04:51 regarding their distribution of prescription 17:04:53 opioids in the 2008 through 2014 time period? 17:04:56	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q. Okay. Which additional on-site 17:06:40 audits did you perform? 17:06:44  A. We went to AmerisourceBergen, 17:06:45 McKesson, Cardinal, and I believe HD Smith, 17:06:49 although yes, HD Smith, yes. 17:06:56 Q. And again, the purpose of these 17:06:59 on-site audits was to, among other things, 17:07:01 examine and understand their SOM program? 17:07:04 A. Yes. 17:07:05 (Mallinckrodt-Harper Exhibit 27 17:07:19 marked for identification.) 17:07:19 QUESTIONS BY MR. KO: 17:07:05 Q. Okay. Now, turning to you 17:07:05 can set that aside, and I'm going to hand you 17:07:15 a copy of what will be marked as Exhibit 27. 17:07:17 And for the record, this ends 17:07:23 in Bates 970734. 17:07:25 And this appears to be a letter 17:07:38
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	but it related is it consistent with your 17:04:49 understanding that it related to activities 17:04:51 regarding their distribution of prescription 17:04:53 opioids in the 2008 through 2014 time period? 17:04:56	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. Okay. Which additional on-site 17:06:40 audits did you perform? 17:06:44 A. We went to AmerisourceBergen, 17:06:45 McKesson, Cardinal, and I believe HD Smith, 17:06:49 although yes, HD Smith, yes. 17:06:56 Q. And again, the purpose of these 17:06:59 on-site audits was to, among other things, 17:07:01 examine and understand their SOM program? 17:07:04 A. Yes. 17:07:05 (Mallinckrodt-Harper Exhibit 27 17:07:19 marked for identification.) 17:07:19 QUESTIONS BY MR. KO: 17:07:05 Q. Okay. Now, turning to you 17:07:05 can set that aside, and I'm going to hand you 17:07:15 a copy of what will be marked as Exhibit 27. 17:07:17 And for the record, this ends 17:07:23 in Bates 970734. 17:07:25 And this appears to be a letter 17:07:38 you drafted to Masters on September 21, 2011, 17:07:40
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	but it related is it consistent with your 17:04:49 understanding that it related to activities 17:04:51 regarding their distribution of prescription 17:04:53 opioids in the 2008 through 2014 time period? 17:04:56	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q. Okay. Which additional on-site 17:06:40 audits did you perform? 17:06:44 A. We went to AmerisourceBergen, 17:06:45 McKesson, Cardinal, and I believe HD Smith, 17:06:49 although yes, HD Smith, yes. 17:06:56 Q. And again, the purpose of these 17:06:59 on-site audits was to, among other things, 17:07:01 examine and understand their SOM program? 17:07:04 A. Yes. 17:07:05 (Mallinckrodt-Harper Exhibit 27 17:07:19 marked for identification.) 17:07:19 QUESTIONS BY MR. KO: 17:07:05 Q. Okay. Now, turning to you 17:07:05 can set that aside, and I'm going to hand you 17:07:15 a copy of what will be marked as Exhibit 27. 17:07:17 And for the record, this ends 17:07:23 in Bates 970734. 17:07:25 And this appears to be a letter 17:07:38 you drafted to Masters on September 21, 2011, 17:07:40 correct? 17:07:46
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	but it related is it consistent with your 17:04:49 understanding that it related to activities 17:04:51 regarding their distribution of prescription 17:04:53 opioids in the 2008 through 2014 time period? 17:04:56 MR. O'CONNOR: Object to form. 17:04:59 THE WITNESS: I don't know the 17:04:59 date of the covered conduct. 17:05:01 QUESTIONS BY MR. KO: 17:05:04 Q. Okay. Was there ever a time 17:05:04 when you ceased or put a temporary hold on 17:05:10 shipping orders to Masters? 17:05:13 A. Yes. 17:05:14 Q. And that occurred at some point 17:05:14 in the late 2010 time period, right? 17:05:16 A. Yes. 17:05:18 Q. And after this review, it was 17:05:18 determined that they were it was 17:05:24 sufficient to resume shipments to Masters; is 17:05:28 that fair to say? 17:05:34 A. No. 17:05:34 Q. Or did you at the time you 17:05:34	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. Okay. Which additional on-site 17:06:40 audits did you perform? 17:06:44 A. We went to AmerisourceBergen, 17:06:45 McKesson, Cardinal, and I believe HD Smith, 17:06:49 although yes, HD Smith, yes. 17:06:56 Q. And again, the purpose of these 17:06:59 on-site audits was to, among other things, 17:07:01 examine and understand their SOM program? 17:07:04 A. Yes. 17:07:05 (Mallinckrodt-Harper Exhibit 27 17:07:19 marked for identification.) 17:07:19 QUESTIONS BY MR. KO: 17:07:05 can set that aside, and I'm going to hand you 17:07:15 a copy of what will be marked as Exhibit 27. 17:07:17 And for the record, this ends 17:07:23 in Bates 970734. 17:07:25 And this appears to be a letter 17:07:38 you drafted to Masters on September 21, 2011, 17:07:40 correct? 17:07:46 A. Yes. 17:07:46
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	but it related is it consistent with your 17:04:49 understanding that it related to activities 17:04:51 regarding their distribution of prescription 17:04:53 opioids in the 2008 through 2014 time period? 17:04:56	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. Okay. Which additional on-site 17:06:40 audits did you perform? 17:06:44 A. We went to AmerisourceBergen, 17:06:45 McKesson, Cardinal, and I believe HD Smith, 17:06:49 although yes, HD Smith, yes. 17:06:56 Q. And again, the purpose of these 17:06:59 on-site audits was to, among other things, 17:07:01 examine and understand their SOM program? 17:07:04 A. Yes. 17:07:05 (Mallinckrodt-Harper Exhibit 27 17:07:19 marked for identification.) 17:07:19 QUESTIONS BY MR. KO: 17:07:05 Q. Okay. Now, turning to you 17:07:05 can set that aside, and I'm going to hand you 17:07:15 a copy of what will be marked as Exhibit 27. 17:07:17 And for the record, this ends 17:07:23 in Bates 970734. 17:07:25 And this appears to be a letter 17:07:38 you drafted to Masters on September 21, 2011, 17:07:40 correct? 17:07:46 A. Yes. 17:07:46 Q. Okay. And now, you had 17:07:46
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	but it related is it consistent with your 17:04:49 understanding that it related to activities 17:04:51 regarding their distribution of prescription 17:04:53 opioids in the 2008 through 2014 time period? 17:04:56 MR. O'CONNOR: Object to form. 17:04:59 THE WITNESS: I don't know the 17:04:59 date of the covered conduct. 17:05:01 QUESTIONS BY MR. KO: 17:05:04 Q. Okay. Was there ever a time 17:05:04 when you ceased or put a temporary hold on 17:05:10 shipping orders to Masters? 17:05:13 A. Yes. 17:05:14 Q. And that occurred at some point 17:05:14 in the late 2010 time period, right? 17:05:16 A. Yes. 17:05:18 Q. And after this review, it was 17:05:18 determined that they were it was 17:05:24 sufficient to resume shipments to Masters; is 17:05:28 that fair to say? 17:05:34 Q. Or did you at the time you 17:05:34 ceased sending shipments to Masters in late 17:05:36 2010, did you ever resume shipments to 17:05:39	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Okay. Which additional on-site 17:06:40 audits did you perform? 17:06:44 A. We went to AmerisourceBergen, 17:06:45 McKesson, Cardinal, and I believe HD Smith, 17:06:49 although yes, HD Smith, yes. 17:06:56 Q. And again, the purpose of these 17:06:59 on-site audits was to, among other things, 17:07:01 examine and understand their SOM program? 17:07:04 A. Yes. 17:07:05 (Mallinckrodt-Harper Exhibit 27 17:07:19 marked for identification.) 17:07:19 QUESTIONS BY MR. KO: 17:07:05 Q. Okay. Now, turning to you 17:07:05 can set that aside, and I'm going to hand you 17:07:15 a copy of what will be marked as Exhibit 27. 17:07:17 And for the record, this ends 17:07:23 in Bates 970734. 17:07:25 And this appears to be a letter 17:07:38 you drafted to Masters on September 21, 2011, 17:07:40 correct? 17:07:46 A. Yes. 17:07:46
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	but it related is it consistent with your 17:04:49 understanding that it related to activities 17:04:51 regarding their distribution of prescription 17:04:53 opioids in the 2008 through 2014 time period? 17:04:56	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Okay. Which additional on-site 17:06:40 audits did you perform? 17:06:44 A. We went to AmerisourceBergen, 17:06:45 McKesson, Cardinal, and I believe HD Smith, 17:06:49 although yes, HD Smith, yes. 17:06:56 Q. And again, the purpose of these 17:06:59 on-site audits was to, among other things, 17:07:01 examine and understand their SOM program? 17:07:04 A. Yes. 17:07:05 (Mallinckrodt-Harper Exhibit 27 17:07:19 marked for identification.) 17:07:19 QUESTIONS BY MR. KO: 17:07:05 Q. Okay. Now, turning to you 17:07:05 can set that aside, and I'm going to hand you 17:07:15 a copy of what will be marked as Exhibit 27. 17:07:17 And for the record, this ends 17:07:23 in Bates 970734. 17:07:25 And this appears to be a letter 17:07:38 you drafted to Masters on September 21, 2011, 17:07:40 correct? 17:07:46 A. Yes. 17:07:46 Q. Okay. And now, you had 17:07:46
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	but it related is it consistent with your 17:04:49 understanding that it related to activities 17:04:51 regarding their distribution of prescription 17:04:53 opioids in the 2008 through 2014 time period? 17:04:56 MR. O'CONNOR: Object to form. 17:04:59 THE WITNESS: I don't know the 17:04:59 date of the covered conduct. 17:05:01 QUESTIONS BY MR. KO: 17:05:04 Q. Okay. Was there ever a time 17:05:04 when you ceased or put a temporary hold on 17:05:10 shipping orders to Masters? 17:05:13 A. Yes. 17:05:14 Q. And that occurred at some point 17:05:14 in the late 2010 time period, right? 17:05:16 A. Yes. 17:05:18 Q. And after this review, it was 17:05:18 determined that they were it was 17:05:24 sufficient to resume shipments to Masters; is 17:05:28 that fair to say? 17:05:34 Q. Or did you at the time you 17:05:34 ceased sending shipments to Masters in late 17:05:36 2010, did you ever resume shipments to 17:05:39	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Okay. Which additional on-site 17:06:40 audits did you perform? 17:06:44 A. We went to AmerisourceBergen, 17:06:45 McKesson, Cardinal, and I believe HD Smith, 17:06:49 although yes, HD Smith, yes. 17:06:56 Q. And again, the purpose of these 17:06:59 on-site audits was to, among other things, 17:07:01 examine and understand their SOM program? 17:07:04 A. Yes. 17:07:05 (Mallinckrodt-Harper Exhibit 27 17:07:19 marked for identification.) 17:07:19 QUESTIONS BY MR. KO: 17:07:05 Q. Okay. Now, turning to you 17:07:05 can set that aside, and I'm going to hand you 17:07:15 a copy of what will be marked as Exhibit 27. 17:07:17 And for the record, this ends 17:07:23 in Bates 970734. 17:07:25 And this appears to be a letter 17:07:38 you drafted to Masters on September 21, 2011, 17:07:40 correct? 17:07:46 A. Yes. 17:07:46 Q. Okay. And now, you had 17:07:48

	Page 398		Page 400
1	certain. 17:07:57	1	A. Yes. 17:09:37
2	Q. But despite well, you 17:07:57	2	Q. Okay. So you've done an 17:09:38
3	stopped shipping to them, but you are still 17:08:02	3	analysis of their SOM program, and you 17:09:39
4	undergoing a review of their SOM program; is 17:08:05	4	conclude that Mallinckrodt is not comfortable 17:09:43
5	that correct? 17:08:08	5	making any sales to them? 17:09:46
6	A. At their request, yes. 17:08:08	6	A. Yes. 17:09:47
7	Q. At their request. Okay. 17:08:09	7	Q. You can set that aside. 17:09:47
8	And on this culminates in a 17:08:11	8	(Mallinckrodt-Harper Exhibit 28 17:10:00
9	letter on September 21, 2011, from you to 17:08:15	9	marked for identification.) 17:10:01
10	Mr. Corona, who I believe is the president of 17:08:20	10	QUESTIONS BY MR. KO: 17:10:01
11	Masters Pharmaceutical. 17:08:24	11	Q. And I'm going to hand you a 17:10:01
12	Is that consistent with your 17:08:24	12	copy of what'll be marked as Harper 17:10:02
13	understanding? 17:08:25	13	Exhibit 28. 17:10:05
14	A. I don't know his title. He was 17:08:25	14	And for the record, this ends 17:10:07
15	an executive, yes. 17:08:28	15	in Bates 289368. 17:10:08
16	Q. Okay. And you indicate that, 17:08:28	16	Does this letter look familiar 17:10:15
17	among other things, "We are not comfortable 17:08:30	17	to you, Ms. Harper? 17:10:18
18	that your suspicious order monitoring program 17:08:33	18	A. Yes. Yes. 17:10:19
19	is robust enough to identify suspicious 17:08:34	19	Q. And this is in your ongoing 17:10:19
20	orders of controlled substances to ensure 17:08:37	20	review of chargeback data, you are able to 17:10:21
21	that the products are being used for 17:08:39	21	identify through this letter that you send to 17:10:24
22	legitimate medicinal purposes." 17:08:42	22	your customers a series of pharmacies that 17:10:30
23	Did I read that correctly? 17:08:46	23	your customers ship to that you will not be 17:10:36
24	A. Yes. 17:08:46	24	processing chargeback requests for; is that 17:10:39
25	Q. And you continue that "As 17:08:46	25	accurate? 17:10:42
_			
	Page 399		Page 401
1	parted of our SOM and through evaluation of 17:08:48	1	Page 401 A. Yes, and it was also after 17:10:42
1 2	_	1 2	_
	parted of our SOM and through evaluation of 17:08:48		A. Yes, and it was also after 17:10:42
2	parted of our SOM and through evaluation of 17:08:48 customer buying patterns and chargeback data, 17:08:50	2	A. Yes, and it was also after 17:10:42 meeting with the distributors to understand 17:10:46
2 3	parted of our SOM and through evaluation of 17:08:48 customer buying patterns and chargeback data, 17:08:50 we have identified unusual purchasing 17:08:53	2 3	A. Yes, and it was also after 17:10:42 meeting with the distributors to understand 17:10:46 their due diligence at the pharmacy level, 17:10:48
2 3 4	parted of our SOM and through evaluation of 17:08:48 customer buying patterns and chargeback data, 17:08:50 we have identified unusual purchasing 17:08:53 patterns by some of your customers for 17:08:54	2 3 4	A. Yes, and it was also after 17:10:42 meeting with the distributors to understand 17:10:46 their due diligence at the pharmacy level, 17:10:48 yes. 17:10:50
2 3 4 5	parted of our SOM and through evaluation of customer buying patterns and chargeback data, 17:08:50 we have identified unusual purchasing 17:08:53 patterns by some of your customers for 17:08:54 oxycodone 15-milligram and 30-milligram 17:08:56 tablets." 17:09:01  Did I read that correctly? 17:09:02	2 3 4 5	A. Yes, and it was also after 17:10:42 meeting with the distributors to understand 17:10:46 their due diligence at the pharmacy level, 17:10:48 yes. 17:10:50 Q. Okay. And just so I understand 17:10:50 this document and just so the record is 17:10:51 clear, I understand you sent this same letter 17:10:53
2 3 4 5 6	parted of our SOM and through evaluation of 17:08:48 customer buying patterns and chargeback data, 17:08:50 we have identified unusual purchasing 17:08:53 patterns by some of your customers for 17:08:54 oxycodone 15-milligram and 30-milligram 17:08:56 tablets." 17:09:01	2 3 4 5	A. Yes, and it was also after 17:10:42 meeting with the distributors to understand 17:10:46 their due diligence at the pharmacy level, 17:10:48 yes. 17:10:50 Q. Okay. And just so I understand 17:10:50 this document and just so the record is 17:10:51
2 3 4 5 6 7	parted of our SOM and through evaluation of customer buying patterns and chargeback data, 17:08:50 we have identified unusual purchasing 17:08:53 patterns by some of your customers for 17:08:54 oxycodone 15-milligram and 30-milligram 17:08:56 tablets." 17:09:01  Did I read that correctly? 17:09:02  A. Yes. 17:09:02  Q. So this is an example of how 17:09:03	2 3 4 5 6 7	A. Yes, and it was also after 17:10:42 meeting with the distributors to understand 17:10:46 their due diligence at the pharmacy level, 17:10:48 yes. 17:10:50 Q. Okay. And just so I understand 17:10:50 this document and just so the record is 17:10:51 clear, I understand you sent this same letter 17:10:53 to all 43 wholesale distributors of 17:10:57 Mallinckrodt as of October 17, 2011, correct? 17:11:04
2 3 4 5 6 7 8	parted of our SOM and through evaluation of 17:08:48 customer buying patterns and chargeback data, 17:08:50 we have identified unusual purchasing 17:08:53 patterns by some of your customers for 17:08:54 oxycodone 15-milligram and 30-milligram 17:08:56 tablets." 17:09:01  Did I read that correctly? 17:09:02  A. Yes. 17:09:02  Q. So this is an example of how 17:09:03 you have utilized chargeback data that 17:09:05	2 3 4 5 6 7 8	A. Yes, and it was also after 17:10:42  meeting with the distributors to understand 17:10:46 their due diligence at the pharmacy level, 17:10:48 yes. 17:10:50  Q. Okay. And just so I understand 17:10:50 this document and just so the record is 17:10:51 clear, I understand you sent this same letter 17:10:53 to all 43 wholesale distributors of 17:10:57 Mallinckrodt as of October 17, 2011, correct? 17:11:04 A. Yes. 17:11:06
2 3 4 5 6 7 8	parted of our SOM and through evaluation of customer buying patterns and chargeback data, 17:08:50 we have identified unusual purchasing 17:08:53 patterns by some of your customers for 17:08:54 oxycodone 15-milligram and 30-milligram 17:08:56 tablets." 17:09:01  Did I read that correctly? 17:09:02  A. Yes. 17:09:02  Q. So this is an example of how 17:09:03 you have utilized chargeback data that 17:09:05  Mallinckrodt can acquire to identify certain 17:09:09	2 3 4 5 6 7 8	A. Yes, and it was also after 17:10:42 meeting with the distributors to understand 17:10:46 their due diligence at the pharmacy level, 17:10:48 yes. 17:10:50 Q. Okay. And just so I understand 17:10:50 this document and just so the record is 17:10:51 clear, I understand you sent this same letter 17:10:53 to all 43 wholesale distributors of 17:10:57 Mallinckrodt as of October 17, 2011, correct? 17:11:04 A. Yes. 17:11:06 Q. And so these were all your 17:11:06
2 3 4 5 6 7 8 9 10 11	parted of our SOM and through evaluation of customer buying patterns and chargeback data, 17:08:50 we have identified unusual purchasing 17:08:53 patterns by some of your customers for 17:08:54 oxycodone 15-milligram and 30-milligram 17:08:56 tablets." 17:09:01  Did I read that correctly? 17:09:02  A. Yes. 17:09:02  Q. So this is an example of how 17:09:03 you have utilized chargeback data that 17:09:05  Mallinckrodt can acquire to identify certain 17:09:09 customer buying patterns, among other things, 17:09:15	2 3 4 5 6 7 8 9 10 11 12	A. Yes, and it was also after 17:10:42 meeting with the distributors to understand 17:10:46 their due diligence at the pharmacy level, 17:10:48 yes. 17:10:50 Q. Okay. And just so I understand 17:10:50 this document and just so the record is 17:10:51 clear, I understand you sent this same letter 17:10:53 to all 43 wholesale distributors of 17:10:57 Mallinckrodt as of October 17, 2011, correct? 17:11:04 A. Yes. 17:11:06 Q. And so these were all your 17:11:06 customers that you shipped Mallinckrodt 17:11:07
2 3 4 5 6 7 8 9 10 11 12 13	parted of our SOM and through evaluation of customer buying patterns and chargeback data, 17:08:50 we have identified unusual purchasing 17:08:53 patterns by some of your customers for 17:08:54 oxycodone 15-milligram and 30-milligram 17:08:56 tablets." 17:09:01  Did I read that correctly? 17:09:02  A. Yes. 17:09:02  Q. So this is an example of how 17:09:03 you have utilized chargeback data that 17:09:05 Mallinckrodt can acquire to identify certain 17:09:09 customer buying patterns, among other things, 17:09:15 correct? 17:09:17	2 3 4 5 6 7 8 9 10 11 12 13	A. Yes, and it was also after 17:10:42  meeting with the distributors to understand 17:10:46 their due diligence at the pharmacy level, 17:10:48  yes. 17:10:50  Q. Okay. And just so I understand 17:10:50 this document and just so the record is 17:10:51 clear, I understand you sent this same letter 17:10:53 to all 43 wholesale distributors of 17:10:57  Mallinckrodt as of October 17, 2011, correct? 17:11:04 A. Yes. 17:11:06  Q. And so these were all your 17:11:06 customers that you shipped Mallinckrodt 17:11:07 opioids to, correct, during this time period? 17:11:12
2 3 4 5 6 7 8 9 10 11 12 13	parted of our SOM and through evaluation of customer buying patterns and chargeback data, 17:08:50 we have identified unusual purchasing 17:08:53 patterns by some of your customers for 17:08:54 oxycodone 15-milligram and 30-milligram 17:08:56 tablets." 17:09:01  Did I read that correctly? 17:09:02  A. Yes. 17:09:02  Q. So this is an example of how 17:09:03 you have utilized chargeback data that 17:09:05 Mallinckrodt can acquire to identify certain 17:09:09 customer buying patterns, among other things, 17:09:15 correct? 17:09:17  A. Correct. 17:09:18	2 3 4 5 6 7 8 9 10 11 12 13	A. Yes, and it was also after 17:10:42  meeting with the distributors to understand 17:10:46 their due diligence at the pharmacy level, 17:10:48  yes. 17:10:50  Q. Okay. And just so I understand 17:10:50 this document and just so the record is 17:10:51 clear, I understand you sent this same letter 17:10:53 to all 43 wholesale distributors of 17:10:57  Mallinckrodt as of October 17, 2011, correct? 17:11:04 A. Yes. 17:11:06 Q. And so these were all your 17:11:06 customers that you shipped Mallinckrodt 17:11:12 A. Well, specifically oxycodone 15 17:11:14
2 3 4 5 6 7 8 9 10 11 12 13 14 15	parted of our SOM and through evaluation of customer buying patterns and chargeback data, 17:08:50 we have identified unusual purchasing 17:08:53 patterns by some of your customers for 17:08:54 oxycodone 15-milligram and 30-milligram 17:08:56 tablets." 17:09:01  Did I read that correctly? 17:09:02  A. Yes. 17:09:02  Q. So this is an example of how 17:09:03 you have utilized chargeback data that 17:09:05 Mallinckrodt can acquire to identify certain 17:09:09 customer buying patterns, among other things, 17:09:15 correct? 17:09:17  A. Correct. 17:09:18  Q. And also to identify unusual 17:09:18	2 3 4 5 6 7 8 9 10 11 12 13 14 15	A. Yes, and it was also after 17:10:42 meeting with the distributors to understand 17:10:46 their due diligence at the pharmacy level, 17:10:48 yes. 17:10:50 Q. Okay. And just so I understand 17:10:50 this document and just so the record is 17:10:51 clear, I understand you sent this same letter 17:10:53 to all 43 wholesale distributors of 17:10:57 Mallinckrodt as of October 17, 2011, correct? 17:11:04 A. Yes. 17:11:06 Q. And so these were all your 17:11:06 customers that you shipped Mallinckrodt 17:11:07 opioids to, correct, during this time period? 17:11:12 A. Well, specifically oxycodone 15 17:11:14 and 30, yes. 17:11:16
2 3 4 5 6 7 8 9 10 11 12 13 14 15	parted of our SOM and through evaluation of customer buying patterns and chargeback data, 17:08:50 we have identified unusual purchasing 17:08:53 patterns by some of your customers for 17:08:54 oxycodone 15-milligram and 30-milligram 17:08:56 tablets." 17:09:01  Did I read that correctly? 17:09:02  A. Yes. 17:09:02  Q. So this is an example of how 17:09:03 you have utilized chargeback data that 17:09:05 Mallinckrodt can acquire to identify certain 17:09:09 customer buying patterns, among other things, 17:09:15 correct? 17:09:17  A. Correct. 17:09:18  Q. And also to identify unusual 17:09:22	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. Yes, and it was also after 17:10:42  meeting with the distributors to understand 17:10:46 their due diligence at the pharmacy level, 17:10:48  yes. 17:10:50  Q. Okay. And just so I understand 17:10:50 this document and just so the record is 17:10:51 clear, I understand you sent this same letter 17:10:53 to all 43 wholesale distributors of 17:10:57  Mallinckrodt as of October 17, 2011, correct? 17:11:04  A. Yes. 17:11:06  Q. And so these were all your 17:11:06 customers that you shipped Mallinckrodt 17:11:17  A. Well, specifically oxycodone 15 17:11:14 and 30, yes. 17:11:16  Q. Okay. So 40 there were 43 17:11:17
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	parted of our SOM and through evaluation of customer buying patterns and chargeback data, 17:08:50 we have identified unusual purchasing patterns by some of your customers for 17:08:54 oxycodone 15-milligram and 30-milligram 17:08:56 tablets." 17:09:01  Did I read that correctly? 17:09:02  A. Yes. 17:09:02  Q. So this is an example of how 17:09:03 you have utilized chargeback data that 17:09:05 Mallinckrodt can acquire to identify certain 17:09:09 customer buying patterns, among other things, 17:09:15 correct? 17:09:17  A. Correct. 17:09:18  Q. And also to identify unusual 17:09:18 purchasing patterns by some of Masters' 17:09:22 customers, correct? 17:09:24  MR. O'CONNOR: Object to form. 17:09:25 THE WITNESS: Correct. 17:09:25	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. Yes, and it was also after 17:10:42 meeting with the distributors to understand 17:10:46 their due diligence at the pharmacy level, 17:10:48 yes. 17:10:50  Q. Okay. And just so I understand 17:10:50 this document and just so the record is 17:10:51 clear, I understand you sent this same letter 17:10:53 to all 43 wholesale distributors of 17:10:57 Mallinckrodt as of October 17, 2011, correct? 17:11:04 A. Yes. 17:11:06 Q. And so these were all your 17:11:06 customers that you shipped Mallinckrodt 17:11:12 A. Well, specifically oxycodone 15 17:11:14 and 30, yes. 17:11:16 Q. Okay. So 40 there were 43 17:11:17 wholesale distributors as of October 17, 17:11:20 2011, that you had previously done business 17:11:24 with that was that you had shipped oxy 15s 17:11:27
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	parted of our SOM and through evaluation of customer buying patterns and chargeback data, 17:08:50 we have identified unusual purchasing patterns by some of your customers for 17:08:54 oxycodone 15-milligram and 30-milligram 17:08:56 tablets." 17:09:01  Did I read that correctly? 17:09:02  A. Yes. 17:09:02  Q. So this is an example of how 17:09:03 you have utilized chargeback data that 17:09:05 Mallinckrodt can acquire to identify certain 17:09:09 customer buying patterns, among other things, 17:09:15 correct? 17:09:17  A. Correct. 17:09:18  Q. And also to identify unusual 17:09:18 purchasing patterns by some of Masters' 17:09:22 customers, correct? 17:09:24  MR. O'CONNOR: Object to form. 17:09:25 THE WITNESS: Correct. 17:09:25 QUESTIONS BY MR. KO: 17:09:26	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Yes, and it was also after 17:10:42 meeting with the distributors to understand 17:10:46 their due diligence at the pharmacy level, 17:10:48 yes. 17:10:50 Q. Okay. And just so I understand 17:10:50 this document and just so the record is 17:10:51 clear, I understand you sent this same letter 17:10:53 to all 43 wholesale distributors of 17:10:57 Mallinckrodt as of October 17, 2011, correct? 17:11:04 A. Yes. 17:11:06 Q. And so these were all your 17:11:06 customers that you shipped Mallinckrodt 17:11:07 opioids to, correct, during this time period? 17:11:12 A. Well, specifically oxycodone 15 17:11:14 and 30, yes. 17:11:16 Q. Okay. So 40 there were 43 17:11:17 wholesale distributors as of October 17, 17:11:20 2011, that you had previously done business 17:11:24 with that was that you had shipped oxy 15s 17:11:27 and oxy 30s to, correct? 17:11:29 MR. O'CONNOR: Object to form. 17:11:31
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	parted of our SOM and through evaluation of customer buying patterns and chargeback data, 17:08:50 we have identified unusual purchasing patterns by some of your customers for 17:08:54 oxycodone 15-milligram and 30-milligram 17:08:56 tablets." 17:09:01  Did I read that correctly? 17:09:02  A. Yes. 17:09:02  Q. So this is an example of how 17:09:03 you have utilized chargeback data that 17:09:05 Mallinckrodt can acquire to identify certain 17:09:09 customer buying patterns, among other things, 17:09:15 correct? 17:09:17  A. Correct. 17:09:18  Q. And also to identify unusual 17:09:18 purchasing patterns by some of Masters' 17:09:22 customers, correct? 17:09:24  MR. O'CONNOR: Object to form. 17:09:25 THE WITNESS: Correct. 17:09:25 QUESTIONS BY MR. KO: 17:09:26 review, you indicate that you are not 17:09:29	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Yes, and it was also after 17:10:42 meeting with the distributors to understand 17:10:46 their due diligence at the pharmacy level, 17:10:48 yes. 17:10:50  Q. Okay. And just so I understand 17:10:50 this document and just so the record is 17:10:51 clear, I understand you sent this same letter 17:10:53 to all 43 wholesale distributors of 17:10:57 Mallinckrodt as of October 17, 2011, correct? 17:11:04 A. Yes. 17:11:06 Q. And so these were all your 17:11:06 customers that you shipped Mallinckrodt 17:11:07 opioids to, correct, during this time period? 17:11:12 A. Well, specifically oxycodone 15 17:11:14 and 30, yes. 17:11:16 Q. Okay. So 40 there were 43 17:11:17 wholesale distributors as of October 17, 17:11:20 2011, that you had previously done business 17:11:24 with that was that you had shipped oxy 15s 17:11:27 and oxy 30s to, correct? 17:11:29 MR. O'CONNOR: Object to form. 17:11:31 THE WITNESS: You know, I'd 17:11:32
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	parted of our SOM and through evaluation of customer buying patterns and chargeback data, 17:08:50 we have identified unusual purchasing patterns by some of your customers for 17:08:54 oxycodone 15-milligram and 30-milligram 17:08:56 tablets." 17:09:01  Did I read that correctly? 17:09:02  A. Yes. 17:09:02  Q. So this is an example of how 17:09:03 you have utilized chargeback data that 17:09:05 Mallinckrodt can acquire to identify certain 17:09:09 customer buying patterns, among other things, 17:09:15 correct? 17:09:17  A. Correct. 17:09:18  Q. And also to identify unusual 17:09:18 purchasing patterns by some of Masters' 17:09:22 customers, correct? 17:09:24  MR. O'CONNOR: Object to form. 17:09:25 THE WITNESS: Correct. 17:09:25 QUESTIONS BY MR. KO: 17:09:26 review, you indicate that you are not 17:09:29 prepared, Mallinckrodt is not prepared, to 17:09:33	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Yes, and it was also after 17:10:42 meeting with the distributors to understand 17:10:46 their due diligence at the pharmacy level, 17:10:48 yes. 17:10:50 Q. Okay. And just so I understand 17:10:50 this document and just so the record is 17:10:51 clear, I understand you sent this same letter 17:10:53 to all 43 wholesale distributors of 17:10:57 Mallinckrodt as of October 17, 2011, correct? 17:11:04 A. Yes. 17:11:06 Q. And so these were all your 17:11:06 customers that you shipped Mallinckrodt 17:11:07 opioids to, correct, during this time period? 17:11:12 A. Well, specifically oxycodone 15 17:11:14 and 30, yes. 17:11:16 Q. Okay. So 40 there were 43 17:11:17 wholesale distributors as of October 17, 17:11:20 2011, that you had previously done business 17:11:24 with that was that you had shipped oxy 15s 17:11:27 and oxy 30s to, correct? 17:11:31 THE WITNESS: You know, I'd 17:11:32 like to clarify my previous so 17:11:35
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	parted of our SOM and through evaluation of customer buying patterns and chargeback data, 17:08:50 we have identified unusual purchasing patterns by some of your customers for 17:08:54 oxycodone 15-milligram and 30-milligram 17:08:56 tablets." 17:09:01  Did I read that correctly? 17:09:02  A. Yes. 17:09:02  Q. So this is an example of how 17:09:03 you have utilized chargeback data that 17:09:05 Mallinckrodt can acquire to identify certain 17:09:09 customer buying patterns, among other things, 17:09:15 correct? 17:09:17  A. Correct. 17:09:18  Q. And also to identify unusual 17:09:18 purchasing patterns by some of Masters' 17:09:22 customers, correct? 17:09:24  MR. O'CONNOR: Object to form. 17:09:25 THE WITNESS: Correct. 17:09:25 QUESTIONS BY MR. KO: 17:09:26 review, you indicate that you are not 17:09:29 prepared, Mallinckrodt is not prepared, to 17:09:33	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Yes, and it was also after 17:10:42 meeting with the distributors to understand 17:10:46 their due diligence at the pharmacy level, 17:10:48 yes. 17:10:50 Q. Okay. And just so I understand 17:10:50 this document and just so the record is 17:10:51 clear, I understand you sent this same letter 17:10:53 to all 43 wholesale distributors of 17:10:57 Mallinckrodt as of October 17, 2011, correct? 17:11:04 A. Yes. 17:11:06 Q. And so these were all your 17:11:06 customers that you shipped Mallinckrodt 17:11:07 opioids to, correct, during this time period? 17:11:12 A. Well, specifically oxycodone 15 17:11:14 and 30, yes. 17:11:16 Q. Okay. So 40 there were 43 17:11:17 wholesale distributors as of October 17, 17:11:20 2011, that you had previously done business 17:11:24 with that was that you had shipped oxy 15s 17:11:27 and oxy 30s to, correct? 17:11:31 THE WITNESS: You know, I'd 17:11:32 like to clarify my previous so 17:11:35

	Page 402		Page 404
1	opioids, but they may not have 17:11:42	1	, and the grant of grant of the contract of th
2	purchased oxy 15 and 30. They may 17:11:43	2	SOM programs. I want to understand to what 17:13:33
3	have purchased other opioids. 17:11:46	3	extent you actually utilize IMS data to make 17:13:36
4	So that's the correct answer. 17:11:48	4	certain determinations as well. 17:13:39
5	QUESTIONS BY MR. KO: 17:11:50	5	A. Okay. We used IMS data to look 17:13:41
6	Q. Okay. Thank you for the 17:11:50	6	at the prescribers of oxycodone 15s and 30s. 17:13:47
7	clarification. 17:11:51	7	When we spoke to the distributors about these 17:13:53
8	A. You're welcome. 17:11:52	8	potentially about these pharmacies that 17:13:57
9	Q. So then is it fair to say that 17:11:53	9	displayed red flags, we asked the 17:14:00
10	these 43 wholesalers and distributors 17:11:54	10	distributors if they had a list of the top 17:14:04
11	constituted all the wholesaler distributors 17:11:59	11	prescribers that were writing RXs at these 17:14:06
12	that Mallinckrodt did business with in terms 17:12:02	12	pharmacies, and then that was a method of 17:14:09
13	of shipping prescription opioids to? 17:12:05	13	comparison that we had to this IMS data list 17:14:12
14	A. To the best of my 17:12:07	14	of the top prescribers in the country. 17:14:14
15	understanding, yes. 17:12:08	15	Q. Okay. And when do you recall 17:14:16
16	Q. Okay. And as we just discussed 17:12:09	16	first utilizing the IMS data in connection 17:14:22
17	a moment ago, "effective immediately, 17:12:17	17	with this review of prescriber-level 17:14:26
18	Mallinckrodt will no longer process 17:12:21	18	information? 17:14:28
19	chargebacks from distributor sales of 17:12:22	19	A. I don't know when it started. 17:14:28
20	Mallinckrodt products to the pharmacies 17:12:25	20	Q. Okay. Are you currently 17:14:30
21	identified on attachment 1 hereto." 17:12:27	21	utilizing IMS data in connection with your 17:14:34
22	And those pharmacies are of 17:12:29	22	suspicious order monitoring system? 17:14:36
23	course the ones listed in the second page of 17:12:31	23	A. No. 17:14:37
24	this document, correct? 17:12:33	24	Q. Okay. Other than for purposes 17:14:38
25	A. Yes. 17:12:33	25	of sending out this letter to make 17:14:39
	Page 403		Page 405
1	Q. Okay. And so you're not 17:12:34	1	distributors aware that chargeback requests 17:14:46
1 2	Q. Okay. And so you're not 17:12:34 necessarily saying here that these pharmacies 17:12:37	1 2	distributors aware that chargeback requests 17:14:46 will not be honored, do you recall ever 17:14:48
2	necessarily saying here that these pharmacies 17:12:37	2	will not be honored, do you recall ever 17:14:48
2 3	necessarily saying here that these pharmacies 17:12:37 need to be placed on any kind of do not ship 17:12:40	2 3	will not be honored, do you recall ever 17:14:48 utilizing IMS data in connection with SOM 17:14:51
2 3 4	necessarily saying here that these pharmacies 17:12:37 need to be placed on any kind of do not ship 17:12:40 list. You're simply telling these 17:12:43	2 3 4	will not be honored, do you recall ever 17:14:48 utilizing IMS data in connection with SOM 17:14:51 activities? 17:14:55
2 3 4 5	necessarily saying here that these pharmacies 17:12:37 need to be placed on any kind of do not ship 17:12:40 list. You're simply telling these 17:12:43 distributors that you're not going to process 17:12:44	2 3 4 5	will not be honored, do you recall ever 17:14:48 utilizing IMS data in connection with SOM 17:14:51 activities? 17:14:55 A. Not that I recall. 17:14:55
2 3 4 5 6	necessarily saying here that these pharmacies 17:12:37 need to be placed on any kind of do not ship 17:12:40 list. You're simply telling these 17:12:43 distributors that you're not going to process 17:12:44 any chargeback requests related to these 17:12:46	2 3 4 5 6	will not be honored, do you recall ever 17:14:48 utilizing IMS data in connection with SOM 17:14:51 activities? 17:14:55 A. Not that I recall. 17:14:55 Q. You can I'd actually ask 17:14:56
2 3 4 5 6 7	necessarily saying here that these pharmacies 17:12:37 need to be placed on any kind of do not ship 17:12:40 list. You're simply telling these 17:12:43 distributors that you're not going to process 17:12:44 any chargeback requests related to these 17:12:46 particular pharmacies, correct? 17:12:49	2 3 4 5 6 7	will not be honored, do you recall ever 17:14:48 utilizing IMS data in connection with SOM 17:14:51 activities? 17:14:55 A. Not that I recall. 17:14:55 Q. You can I'd actually ask 17:14:56 that you keep that document in front of you, 17:15:08
2 3 4 5 6 7 8	necessarily saying here that these pharmacies 17:12:37 need to be placed on any kind of do not ship 17:12:40 list. You're simply telling these 17:12:43 distributors that you're not going to process 17:12:44 any chargeback requests related to these 17:12:46 particular pharmacies, correct? 17:12:49 MR. O'CONNOR: Object to form. 17:12:50	2 3 4 5 6 7 8	will not be honored, do you recall ever 17:14:48 utilizing IMS data in connection with SOM 17:14:51 activities? 17:14:55  A. Not that I recall. 17:14:55 Q. You can I'd actually ask 17:14:56 that you keep that document in front of you, 17:15:08 but just probably you can refer to the back 17:15:09
2 3 4 5 6 7 8	necessarily saying here that these pharmacies 17:12:37 need to be placed on any kind of do not ship 17:12:40 list. You're simply telling these 17:12:43 distributors that you're not going to process 17:12:44 any chargeback requests related to these 17:12:46 particular pharmacies, correct? 17:12:49 MR. O'CONNOR: Object to form. 17:12:50 THE WITNESS: Yes. 17:12:50	2 3 4 5 6 7 8	will not be honored, do you recall ever 17:14:48 utilizing IMS data in connection with SOM 17:14:51 activities? 17:14:55 A. Not that I recall. 17:14:55 Q. You can I'd actually ask 17:14:56 that you keep that document in front of you, 17:15:08 but just probably you can refer to the back 17:15:09 because I want to ask you some questions 17:15:11
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	Page 406	Τ	Page 408
1	them that we just previously discussed that 17:15:59	1	Q. Okay. So is it accurate to say 17:18:09
2	reflects Exhibit 28; is that correct? 17:16:03	2	that what he's trying to tell you is that for 17:18:12
3	A. I don't see we had a 17:16:04	3	each one of these pharmacies that you have 17:18:15
4	separate letter addressed is this in your 17:16:11	4	identified as being problematic, he has 17:18:16
5	pile? I'm so confused. 17:16:16	5	indicated that Masters has already placed 17:18:21
6	Okay. We had a separate letter 17:16:18	6	them on Masters' termination list; is that 17:18:24
7	addressed to Masters. 17:16:23	7	accurate? 17:18:28
8	Q. Okay. And in that separate 17:16:23	8	A. Yes. 17:18:28
9	letter, you were identifying I believe 17:16:24	9	Q. Okay. And for several of these 17:18:29
10	I've seen that, but in that separate letter 17:16:29	10	pharmacies, Masters had placed these 17:18:32
11	you identify these same pharmacies; is that 17:16:31	11	pharmacies on the termination list 17:18:36
12	correct? 17:16:32	12	approximately one year prior to you notifying 17:18:39
13	A. Yes. Yes. 17:16:32	13	Masters of these problematic pharmacies; is 17:18:42
14	Q. So at some point before this 17:16:34	14	that accurate? 17:18:47
15	e-mail, you had obviously indicated to 17:16:38	15	A. Yes. 17:18:47
16	Masters that there were certain pharmacies 17:16:40	16	Q. Okay. Now, he goes on to 17:18:48
17	that you weren't going to honor chargebacks 17:16:48	17	say and I recall earlier when we discussed 17:18:57
18	to, correct? 17:16:52	18	how you had indicated to Masters that they 17:19:01
19	A. Yes. 17:16:52	19	had an inadequate SOM program. 17:19:04
20	O. And I assume that there was a 17:16:52	20	A. Yes. 17:19:06
21	separate e-mail sent to Masters, because at 17:16:54	21	Q. Okay. And he responds, quote, 17:19:07
22	the time you weren't doing business with 17:16:57	22	"In your last two letters to Masters, you 17:19:11
23	them? 17:16:59	23	have judged our SOMs to be inadequately 17:19:16
24	A. I believe this is the time we 17:17:00	24	robust, yet somehow we identified these 17:19:18
25	notified Masters that we were going to 17:17:04	25	accounts well before you, exclamation point." 17:19:20
	<u> </u>		·
	Page 407		Page 409
1	discontinue sales of Mallinckrodt product to 17:17:07	1	Did I read that correctly? 17:19:23
2	discontinue sales of Mallinckrodt product to 17:17:07  Masters. 17:17:09	2	Did I read that correctly? 17:19:23  A. Yes. 17:19:23
2 3	discontinue sales of Mallinckrodt product to 17:17:07  Masters. 17:17:09  Q. Okay. 17:17:10	2 3	Did I read that correctly? 17:19:23  A. Yes. 17:19:23  Q. So, again, is it accurate to 17:19:24
2 3 4	discontinue sales of Mallinckrodt product to 17:17:07  Masters. 17:17:09  Q. Okay. 17:17:10  A. So it would have been a letter. 17:17:10	2 3 4	Did I read that correctly? 17:19:23  A. Yes. 17:19:23  Q. So, again, is it accurate to 17:19:24  state that Masters had identified one at 17:19:27
2 3 4 5	discontinue sales of Mallinckrodt product to 17:17:07  Masters. 17:17:09  Q. Okay. 17:17:10  A. So it would have been a letter. 17:17:10  But we sent several letters to 17:17:11	2 3 4 5	Did I read that correctly? 17:19:23  A. Yes. 17:19:23  Q. So, again, is it accurate to 17:19:24  state that Masters had identified one at 17:19:27  least one year prior, in some instances, some 17:19:30
2 3 4 5 6	discontinue sales of Mallinckrodt product to 17:17:07  Masters. 17:17:09  Q. Okay. 17:17:10  A. So it would have been a letter. 17:17:10  But we sent several letters to 17:17:11  Masters, and so I the content of each one 17:17:13	2 3 4 5 6	Did I read that correctly? 17:19:23  A. Yes. 17:19:23  Q. So, again, is it accurate to 17:19:24  state that Masters had identified one at 17:19:27  least one year prior, in some instances, some 17:19:30  pharmacies that were deemed to be 17:19:33
2 3 4 5 6 7	discontinue sales of Mallinckrodt product to 17:17:07  Masters. 17:17:09  Q. Okay. 17:17:10  A. So it would have been a letter. 17:17:10  But we sent several letters to 17:17:11  Masters, and so I the content of each one 17:17:13  I can't attest to. 17:17:19	2 3 4 5 6 7	Did I read that correctly? 17:19:23  A. Yes. 17:19:23  Q. So, again, is it accurate to 17:19:24  state that Masters had identified one at 17:19:27  least one year prior, in some instances, some 17:19:30  pharmacies that were deemed to be 17:19:33  problematic, sufficient to place them on 17:19:34
2 3 4 5 6 7 8	discontinue sales of Mallinckrodt product to 17:17:07  Masters. 17:17:09  Q. Okay. 17:17:10  A. So it would have been a letter. 17:17:10  But we sent several letters to 17:17:11  Masters, and so I the content of each one 17:17:13  I can't attest to. 17:17:19  Q. Sure. Fair enough. 17:17:19	2 3 4 5 6 7 8	Did I read that correctly? 17:19:23  A. Yes. 17:19:23  Q. So, again, is it accurate to 17:19:24  state that Masters had identified one at 17:19:27  least one year prior, in some instances, some 17:19:30  pharmacies that were deemed to be 17:19:33  problematic, sufficient to place them on 17:19:34  their termination list before you were able 17:19:36
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2 3 4 5 6 7 8 9	discontinue sales of Mallinckrodt product to 17:17:07  Masters. 17:17:09  Q. Okay. 17:17:10  A. So it would have been a letter. 17:17:10  But we sent several letters to 17:17:11  Masters, and so I the content of each one 17:17:13  I can't attest to. 17:17:19  Q. Sure. Fair enough. 17:17:19  In any event, Mr. Corona, 17:17:20  who it does appear in the end of this 17:17:24	2 3 4 5 6 7 8 9	Did I read that correctly? 17:19:23  A. Yes. 17:19:23  Q. So, again, is it accurate to 17:19:24  state that Masters had identified one at 17:19:27  least one year prior, in some instances, some 17:19:30  pharmacies that were deemed to be 17:19:33  problematic, sufficient to place them on 17:19:34  their termination list before you were able 17:19:36  to make that same determination? 17:19:39  MR. O'CONNOR: Object to form. 17:19:40
2 3 4 5 6 7 8 9 10	discontinue sales of Mallinckrodt product to 17:17:07  Masters. 17:17:09  Q. Okay. 17:17:10  A. So it would have been a letter. 17:17:10  But we sent several letters to 17:17:11  Masters, and so I the content of each one 17:17:13  I can't attest to. 17:17:19  Q. Sure. Fair enough. 17:17:19  In any event, Mr. Corona, 17:17:20  who it does appear in the end of this 17:17:24 e-mail that he is the president of Masters 17:17:27	2 3 4 5 6 7 8 9 10	Did I read that correctly? 17:19:23  A. Yes. 17:19:23  Q. So, again, is it accurate to 17:19:24  state that Masters had identified one at 17:19:27  least one year prior, in some instances, some 17:19:30  pharmacies that were deemed to be 17:19:33  problematic, sufficient to place them on 17:19:34  their termination list before you were able 17:19:36  to make that same determination? 17:19:39  MR. O'CONNOR: Object to form. 17:19:40  THE WITNESS: Yes. 17:19:41
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2 3 4 5 6 7 8 9 10 11 12 13 14 15	discontinue sales of Mallinckrodt product to 17:17:07  Masters. 17:17:09  Q. Okay. 17:17:10  A. So it would have been a letter. 17:17:10  But we sent several letters to 17:17:11  Masters, and so I the content of each one 17:17:13  I can't attest to. 17:17:19  Q. Sure. Fair enough. 17:17:19  In any event, Mr. Corona, 17:17:20  who it does appear in the end of this 17:17:24  e-mail that he is the president of Masters 17:17:27  Pharmaceutical. 17:17:29  highlighted it. 17:17:38  A. Yes, I do. Yes. Yes. 17:17:38  Q. So you had sent some 17:17:39  correspondence to Jennifer Seiple at Masters, 17:17:42	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Did I read that correctly? 17:19:23  A. Yes. 17:19:23  Q. So, again, is it accurate to 17:19:24  state that Masters had identified one at 17:19:27 least one year prior, in some instances, some 17:19:30 pharmacies that were deemed to be 17:19:33 problematic, sufficient to place them on 17:19:34 their termination list before you were able 17:19:36 to make that same determination? 17:19:39  MR. O'CONNOR: Object to form. 17:19:40 THE WITNESS: Yes. 17:19:41 QUESTIONS BY MR. KO: 17:19:41 Q. Okay. And earlier we had 17:19:42 you had testified that one of the reasons why 17:19:46 you had audited Masters was to review their 17:19:48 SOM program, correct? 17:19:51 A. Yes. 17:19:52
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	discontinue sales of Mallinckrodt product to 17:17:07  Masters. 17:17:09  Q. Okay. 17:17:10  A. So it would have been a letter. 17:17:10  But we sent several letters to 17:17:11  Masters, and so I the content of each one 17:17:13  I can't attest to. 17:17:19  Q. Sure. Fair enough. 17:17:19  In any event, Mr. Corona, 17:17:20  who it does appear in the end of this 17:17:24 e-mail that he is the president of Masters 17:17:27  Pharmaceutical. 17:17:29  highlighted it. 17:17:38  A. Yes, I do. Yes. Yes. 17:17:39  correspondence to Jennifer Seiple at Masters, 17:17:42 and you had identified these pharmacies that 17:17:46 appear in attachment 1, correct? 17:17:49	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Did I read that correctly? 17:19:23  A. Yes. 17:19:23  Q. So, again, is it accurate to 17:19:24 state that Masters had identified one at 17:19:27 least one year prior, in some instances, some 17:19:30 pharmacies that were deemed to be 17:19:33 problematic, sufficient to place them on 17:19:34 their termination list before you were able 17:19:36 to make that same determination? 17:19:39  MR. O'CONNOR: Object to form. 17:19:40 THE WITNESS: Yes. 17:19:41 QUESTIONS BY MR. KO: 17:19:41 Q. Okay. And earlier we had 17:19:42 you had testified that one of the reasons why 17:19:46 you had audited Masters was to review their 17:19:48 SOM program, correct? 17:19:51  A. Yes. 17:19:52 Q. Okay. And yet through your 17:19:53 review, you were unable to determine which 17:19:55
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	discontinue sales of Mallinckrodt product to 17:17:07  Masters. 17:17:09  Q. Okay. 17:17:10  A. So it would have been a letter. 17:17:10  But we sent several letters to 17:17:11  Masters, and so I the content of each one 17:17:13  I can't attest to. 17:17:19  Q. Sure. Fair enough. 17:17:19  In any event, Mr. Corona, 17:17:20  who it does appear in the end of this 17:17:24  e-mail that he is the president of Masters 17:17:27  Pharmaceutical. 17:17:29  Do you see that? I've 17:17:29  highlighted it. 17:17:38  A. Yes, I do. Yes. Yes. 17:17:38  Q. So you had sent some 17:17:39  correspondence to Jennifer Seiple at Masters, 17:17:42  and you had identified these pharmacies that 17:17:46  appear in attachment 1, correct? 17:17:50  Q. Okay. And he responds that "As 17:17:51	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Did I read that correctly? 17:19:23  A. Yes. 17:19:23  Q. So, again, is it accurate to 17:19:24 state that Masters had identified one at 17:19:27 least one year prior, in some instances, some 17:19:30 pharmacies that were deemed to be 17:19:33 problematic, sufficient to place them on 17:19:34 their termination list before you were able 17:19:36 to make that same determination? 17:19:39  MR. O'CONNOR: Object to form. 17:19:40 THE WITNESS: Yes. 17:19:41 QUESTIONS BY MR. KO: 17:19:41 Q. Okay. And earlier we had 17:19:42 you had testified that one of the reasons why 17:19:46 you had audited Masters was to review their 17:19:48 SOM program, correct? 17:19:51  A. Yes. 17:19:52 Q. Okay. And yet through your 17:19:55 pharmacies they placed on their termination 17:20:00
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	discontinue sales of Mallinckrodt product to 17:17:07  Masters. 17:17:09  Q. Okay. 17:17:10  A. So it would have been a letter. 17:17:10  But we sent several letters to 17:17:11  Masters, and so I the content of each one 17:17:13  I can't attest to. 17:17:19  Q. Sure. Fair enough. 17:17:19  In any event, Mr. Corona, 17:17:20  who it does appear in the end of this 17:17:24  e-mail that he is the president of Masters 17:17:27  Pharmaceutical. 17:17:29  Do you see that? I've 17:17:29  highlighted it. 17:17:38  Q. So you had sent some 17:17:39  correspondence to Jennifer Seiple at Masters, 17:17:42  and you had identified these pharmacies that 17:17:46  appear in attachment 1, correct? 17:17:49  A. Yes. 17:17:50  Q. Okay. And he responds that "As 17:17:51  you can see, the dates of termination predate 17:18:03	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Did I read that correctly? 17:19:23  A. Yes. 17:19:23  Q. So, again, is it accurate to 17:19:24 state that Masters had identified one at 17:19:27 least one year prior, in some instances, some 17:19:30 pharmacies that were deemed to be 17:19:33 problematic, sufficient to place them on 17:19:34 their termination list before you were able 17:19:36 to make that same determination? 17:19:39  MR. O'CONNOR: Object to form. 17:19:40 THE WITNESS: Yes. 17:19:41 QUESTIONS BY MR. KO: 17:19:41 Q. Okay. And earlier we had 17:19:42 you had testified that one of the reasons why 17:19:46 you had audited Masters was to review their 17:19:48 SOM program, correct? 17:19:51  A. Yes. 17:19:52 Q. Okay. And yet through your 17:19:53 review, you were unable to determine which 17:19:55 pharmacies they placed on their termination 17:20:00 list, correct? 17:20:02
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Masters. 17:17:09  Q. Okay. 17:17:10  A. So it would have been a letter. 17:17:10  But we sent several letters to 17:17:11  Masters, and so I the content of each one 17:17:13  I can't attest to. 17:17:19  Q. Sure. Fair enough. 17:17:19  In any event, Mr. Corona, 17:17:20  who it does appear in the end of this 17:17:24  e-mail that he is the president of Masters 17:17:27  Pharmaceutical. 17:17:29  Do you see that? I've 17:17:29  highlighted it. 17:17:38  Q. So you had sent some 17:17:39  correspondence to Jennifer Seiple at Masters, 17:17:42  and you had identified these pharmacies that 17:17:46  appear in attachment 1, correct? 17:17:50  Q. Okay. And he responds that "As 17:17:51  you can see, the dates of termination predate 17:18:03	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Did I read that correctly? 17:19:23  A. Yes. 17:19:23  Q. So, again, is it accurate to 17:19:24 state that Masters had identified one at 17:19:27 least one year prior, in some instances, some 17:19:30 pharmacies that were deemed to be 17:19:33 problematic, sufficient to place them on 17:19:34 their termination list before you were able 17:19:36 to make that same determination? 17:19:39  MR. O'CONNOR: Object to form. 17:19:40 THE WITNESS: Yes. 17:19:41 Q. Okay. And earlier we had 17:19:42 you had testified that one of the reasons why 17:19:46 you had audited Masters was to review their 17:19:48 SOM program, correct? 17:19:51  A. Yes. 17:19:52 Q. Okay. And yet through your 17:19:53 review, you were unable to determine which 17:19:55 pharmacies they placed on their termination 17:20:00 list, correct? 17:20:02 A. Correct. 17:20:03
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1	MR. O'CONNOR: Object to form. 17:20:12	1	MR. O'CONNOR: Object to form. 17:21:52
2	THE WITNESS: No. 17:20:13	2	THE WITNESS: I'm sorry, there 17:21:53
3	QUESTIONS BY MR. KO: 17:20:13	3	were double negatives. Will you 17:21:55
4	Q. Okay. Do you feel that had you 17:20:14	4	please restate? I'm sorry. 17:21:57
5	asked Masters the simple question of which 17:20:16	5	QUESTIONS BY MR. KO: 17:21:58
6	pharmacies they had placed on their do not 17:20:21	6	Q. Sorry, I have a bad habit of 17:21:58
7	ship list, you would have also understood 17:20:23	7	that. 17:22:02
8	that these pharmacies were problematic? 17:20:26	8	So not asking Masters whether 17:22:03
9	A. I do not know. 17:20:31	9	or not they had pharmacies on their 17:22:04
10	Q. Okay. Do you agree with me 17:20:32	10	termination list is indicative of an 17:22:05
11	that had you asked that question in your 17:20:34	11	inadequate audit, correct? 17:22:09
12	audit, you would have learned that these 17:20:36	12	MR. O'CONNOR: Object to form. 17:22:10
13	pharmacies were problematic? 17:20:38	13	THE WITNESS: I do not agree. 17:22:11
14	A. If they would have provided 17:20:40	14	QUESTIONS BY MR. KO: 17:22:12
15	this listing, yes. 17:20:42	15	Q. You do not agree. 17:22:12
16	Q. Okay. Regardless of whether or 17:20:43	16	Had you simply asked Masters 17:22:13
17	not they provided the listing 17:20:45	17	whether or not certain pharmacies appeared on 17:22:19
18	A. Uh-huh. 17:20:47	18	their do not ship list, you would have 17:22:21
19	Q the purpose of your audit in 17:20:47	19	learned that certain pharmacies did in fact 17:22:23
20	late 2010 was to understand Masters' SOM 17:20:50	20	appear on that list, correct? 17:22:25
21	program, was it not? 17:20:56	21	MR. O'CONNOR: Objection. 17:22:27
22	A. Yes. 17:20:57	22	Asked and answered. 17:22:28
23	Q. And you were doing an 17:20:57	23	THE WITNESS: I don't know if 17:22:28
24	independent review? 17:20:58	24	they would have given us this list. 17:22:30
25	A. Yes, a Mallinckrodt review of 17:21:01	25	
	Page 411		Page 413
1	their program, yes. 17:21:02	1	QUESTIONS BY MR. KO: 17:22:33
2	Q. Right. 17:21:03	2	Q. Okay. But you don't recall 17:22:34
3	And in connection with that 17:21:04	3	ever asking that question? 17:22:35
4	marriage did year area cale them whather an not 17:21:05		
1 -	review, did you ever ask them whether or not 17:21:05	4	A. I do not. 17:22:36
5	they had placed certain pharmacies on their 17:21:08	4 5	<ul><li>A. I do not. 17:22:36</li><li>Q. Okay. Certainly if you had 17:22:37</li></ul>
	•		
5	they had placed certain pharmacies on their 17:21:08	5	Q. Okay. Certainly if you had 17:22:37
5	they had placed certain pharmacies on their do not ship list? 17:21:11	5	Q. Okay. Certainly if you had 17:22:37 asked that question, you would have been able 17:22:39
5 6 7	they had placed certain pharmacies on their 17:21:08 do not ship list? 17:21:11  A. I don't I don't know. I 17:21:11	5 6 7	Q. Okay. Certainly if you had 17:22:37 asked that question, you would have been able 17:22:39 to determine whether or not certain 17:22:41
5 6 7 8	they had placed certain pharmacies on their 17:21:08 do not ship list? 17:21:11  A. I don't I don't know. I 17:21:11 don't recall. 17:21:14	5 6 7 8	Q. Okay. Certainly if you had 17:22:37 asked that question, you would have been able 17:22:39 to determine whether or not certain 17:22:41 pharmacies appeared on their do not ship 17:22:43
5 6 7 8 9	they had placed certain pharmacies on their 17:21:08 do not ship list? 17:21:11  A. I don't I don't know. I 17:21:11 don't recall. 17:21:14  Q. Okay. Had you asked that 17:21:14	5 6 7 8 9	Q. Okay. Certainly if you had 17:22:37 asked that question, you would have been able 17:22:39 to determine whether or not certain 17:22:41 pharmacies appeared on their do not ship 17:22:43 list, correct? 17:22:45
5 6 7 8 9	they had placed certain pharmacies on their 17:21:08 do not ship list? 17:21:11  A. I don't I don't know. I 17:21:11 don't recall. 17:21:14 Q. Okay. Had you asked that 17:21:14 question, you would have certainly learned 17:21:15	5 6 7 8 9	Q. Okay. Certainly if you had 17:22:37 asked that question, you would have been able 17:22:39 to determine whether or not certain 17:22:41 pharmacies appeared on their do not ship 17:22:43 list, correct? 17:22:45 MR. O'CONNOR: Objection. 17:22:45
5 6 7 8 9 10 11	they had placed certain pharmacies on their 17:21:08 do not ship list? 17:21:11  A. I don't I don't know. I 17:21:11 don't recall. 17:21:14 Q. Okay. Had you asked that 17:21:14 question, you would have certainly learned 17:21:15 this information, correct? 17:21:18	5 6 7 8 9 10	Q. Okay. Certainly if you had 17:22:37 asked that question, you would have been able 17:22:39 to determine whether or not certain 17:22:41 pharmacies appeared on their do not ship 17:22:43 list, correct? 17:22:45 MR. O'CONNOR: Objection. 17:22:45 Asked and answered. 17:22:46
5 6 7 8 9 10 11 12	they had placed certain pharmacies on their 17:21:08 do not ship list? 17:21:11  A. I don't I don't know. I 17:21:11 don't recall. 17:21:14  Q. Okay. Had you asked that 17:21:14 question, you would have certainly learned 17:21:15 this information, correct? 17:21:18  MR. O'CONNOR: Object to form. 17:21:18	5 6 7 8 9 10 11	Q. Okay. Certainly if you had 17:22:37 asked that question, you would have been able 17:22:39 to determine whether or not certain 17:22:41 pharmacies appeared on their do not ship 17:22:43 list, correct? 17:22:45  MR. O'CONNOR: Objection. 17:22:45 Asked and answered. 17:22:46  THE WITNESS: So, sir, I'll 17:22:46
5 6 7 8 9 10 11 12	they had placed certain pharmacies on their do not ship list? 17:21:11  A. I don't I don't know. I 17:21:11 don't recall. 17:21:14  Q. Okay. Had you asked that 17:21:14 question, you would have certainly learned 17:21:15 this information, correct? 17:21:18  MR. O'CONNOR: Object to form. 17:21:18 THE WITNESS: Perhaps. 17:21:19	5 6 7 8 9 10 11 12 13	Q. Okay. Certainly if you had 17:22:37 asked that question, you would have been able 17:22:39 to determine whether or not certain 17:22:41 pharmacies appeared on their do not ship 17:22:43 list, correct? 17:22:45 MR. O'CONNOR: Objection. 17:22:45 Asked and answered. 17:22:46 THE WITNESS: So, sir, I'll 17:22:46 answer again. This whole Masters' 17:22:47
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5 6 7 8 9 10 11 12 13 14	they had placed certain pharmacies on their do not ship list? 17:21:11  A. I don't I don't know. I 17:21:11  don't recall. 17:21:14  Q. Okay. Had you asked that 17:21:14 question, you would have certainly learned 17:21:15 this information, correct? 17:21:18  MR. O'CONNOR: Object to form. 17:21:18  THE WITNESS: Perhaps. 17:21:19  QUESTIONS BY MR. KO: 17:21:20 Q. Okay. Sitting here today, is 17:21:20	5 6 7 8 9 10 11 12 13 14 15	Q. Okay. Certainly if you had 17:22:37 asked that question, you would have been able 17:22:39 to determine whether or not certain 17:22:41 pharmacies appeared on their do not ship 17:22:43 list, correct? 17:22:45  MR. O'CONNOR: Objection. 17:22:45 Asked and answered. 17:22:46  THE WITNESS: So, sir, I'll 17:22:46 answer again. This whole Masters' 17:22:47 event became quite adversarial. And I 17:22:51 don't mean to be irreverent, because 17:22:55
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5 6 7 8 9 10 11 12 13 14 15 16 17 18	they had placed certain pharmacies on their do not ship list? 17:21:11  A. I don't I don't know. I 17:21:11  don't recall. 17:21:14  Q. Okay. Had you asked that 17:21:14 question, you would have certainly learned 17:21:15 this information, correct? 17:21:18  MR. O'CONNOR: Object to form. 17:21:18  THE WITNESS: Perhaps. 17:21:19 QUESTIONS BY MR. KO: 17:21:20  Q. Okay. Sitting here today, is 17:21:20 it reflective of an adequate audit if you 17:21:31 any pharmacies on their termination list? 17:21:34	5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. Okay. Certainly if you had 17:22:37 asked that question, you would have been able 17:22:39 to determine whether or not certain 17:22:41 pharmacies appeared on their do not ship 17:22:43 list, correct? 17:22:45  MR. O'CONNOR: Objection. 17:22:45 Asked and answered. 17:22:46  THE WITNESS: So, sir, I'll 17:22:46 answer again. This whole Masters' 17:22:47 event became quite adversarial. And I 17:22:51 don't mean to be irreverent, because 17:22:55 I'm under testimony, but this Wayne 17:22:57 Corona, I expected to find a dead 17:22:58 chicken on my porch. 17:23:00
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5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	they had placed certain pharmacies on their do not ship list? 17:21:11  A. I don't I don't know. I 17:21:11  don't recall. 17:21:14  Q. Okay. Had you asked that 17:21:14  question, you would have certainly learned 17:21:15 this information, correct? 17:21:18  MR. O'CONNOR: Object to form. 17:21:18  THE WITNESS: Perhaps. 17:21:19  QUESTIONS BY MR. KO: 17:21:20  Q. Okay. Sitting here today, is 17:21:20 it reflective of an adequate audit if you 17:21:31 any pharmacies on their termination list? 17:21:34  MR. O'CONNOR: Object to form. 17:21:37  THE WITNESS: No. 17:21:37	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. Okay. Certainly if you had 17:22:37 asked that question, you would have been able 17:22:39 to determine whether or not certain 17:22:41 pharmacies appeared on their do not ship 17:22:43 list, correct? 17:22:45  MR. O'CONNOR: Objection. 17:22:45 Asked and answered. 17:22:46  THE WITNESS: So, sir, I'll 17:22:46 answer again. This whole Masters' 17:22:47 event became quite adversarial. And I 17:22:51 don't mean to be irreverent, because 17:22:55 I'm under testimony, but this Wayne 17:22:57 Corona, I expected to find a dead 17:22:58 chicken on my porch. 17:23:00 He called me, he hounded me, he 17:23:02 was angry, angry about our decision, 17:23:04
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	they had placed certain pharmacies on their do not ship list? 17:21:11  A. I don't I don't know. I 17:21:11  don't recall. 17:21:14  Q. Okay. Had you asked that 17:21:14 question, you would have certainly learned 17:21:15 this information, correct? 17:21:18  MR. O'CONNOR: Object to form. 17:21:18  THE WITNESS: Perhaps. 17:21:19 QUESTIONS BY MR. KO: 17:21:20 it reflective of an adequate audit if you 17:21:31 any pharmacies on their termination list? 17:21:37  MR. O'CONNOR: Object to form. 17:21:37  THE WITNESS: No. 17:21:37  QUESTIONS BY MR. KO: 17:21:37  QUESTIONS BY MR. KO: 17:21:38	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Okay. Certainly if you had 17:22:37 asked that question, you would have been able 17:22:39 to determine whether or not certain 17:22:41 pharmacies appeared on their do not ship 17:22:43 list, correct? 17:22:45  MR. O'CONNOR: Objection. 17:22:45 Asked and answered. 17:22:46  THE WITNESS: So, sir, I'll 17:22:46 answer again. This whole Masters' 17:22:47 event became quite adversarial. And I 17:22:51 don't mean to be irreverent, because 17:22:55 I'm under testimony, but this Wayne 17:22:57 Corona, I expected to find a dead 17:22:58 chicken on my porch. 17:23:00  He called me, he hounded me, he 17:23:02 was angry, angry about our decision, 17:23:04 and so he was defending, I'm going to 17:23:06
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	they had placed certain pharmacies on their do not ship list? 17:21:11  A. I don't I don't know. I 17:21:11  don't recall. 17:21:14  Q. Okay. Had you asked that 17:21:14 question, you would have certainly learned 17:21:15 this information, correct? 17:21:18  MR. O'CONNOR: Object to form. 17:21:18  THE WITNESS: Perhaps. 17:21:19 QUESTIONS BY MR. KO: 17:21:20  Q. Okay. Sitting here today, is 17:21:20 it reflective of an adequate audit if you 17:21:31 any pharmacies on their termination list? 17:21:34  MR. O'CONNOR: Object to form. 17:21:37  THE WITNESS: No. 17:21:37  QUESTIONS BY MR. KO: 17:21:37  QUESTIONS BY MR. KO: 17:21:38  Q. So to be clear, not asking them 17:21:41	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Okay. Certainly if you had 17:22:37 asked that question, you would have been able 17:22:39 to determine whether or not certain 17:22:41 pharmacies appeared on their do not ship 17:22:43 list, correct? 17:22:45  MR. O'CONNOR: Objection. 17:22:45  Asked and answered. 17:22:46  THE WITNESS: So, sir, I'll 17:22:46 answer again. This whole Masters' 17:22:47 event became quite adversarial. And I 17:22:51 don't mean to be irreverent, because 17:22:55 I'm under testimony, but this Wayne 17:22:57 Corona, I expected to find a dead 17:22:58 chicken on my porch. 17:23:00  He called me, he hounded me, he 17:23:02 was angry, angry about our decision, 17:23:04 and so he was defending, I'm going to 17:23:06 say, to Mallinckrodt Masters' SOM 17:23:10
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	they had placed certain pharmacies on their do not ship list? 17:21:11  A. I don't I don't know. I 17:21:11  don't recall. 17:21:14  Q. Okay. Had you asked that 17:21:14  question, you would have certainly learned 17:21:15 this information, correct? 17:21:18  MR. O'CONNOR: Object to form. 17:21:18  THE WITNESS: Perhaps. 17:21:19  QUESTIONS BY MR. KO: 17:21:20  Q. Okay. Sitting here today, is 17:21:20 it reflective of an adequate audit if you 17:21:31 any pharmacies on their termination list? 17:21:34  MR. O'CONNOR: Object to form. 17:21:37  THE WITNESS: No. 17:21:37  QUESTIONS BY MR. KO: 17:21:38  Q. So to be clear, not asking them 17:21:41 whether or not they had pharmacies on their 17:21:45	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Okay. Certainly if you had 17:22:37 asked that question, you would have been able 17:22:39 to determine whether or not certain 17:22:41 pharmacies appeared on their do not ship 17:22:43 list, correct? 17:22:45  MR. O'CONNOR: Objection. 17:22:45 Asked and answered. 17:22:46  THE WITNESS: So, sir, I'll 17:22:46 answer again. This whole Masters' 17:22:47 event became quite adversarial. And I 17:22:51 don't mean to be irreverent, because 17:22:55 I'm under testimony, but this Wayne 17:22:57 Corona, I expected to find a dead 17:22:58 chicken on my porch. 17:23:00  He called me, he hounded me, he 17:23:02 was angry, angry about our decision, 17:23:04 and so he was defending, I'm going to 17:23:06 say, to Mallinckrodt Masters' SOM 17:23:10 program with these series of 17:23:14

	5 1		4
	Page 414		Page 416
1	QUESTIONS BY MR. KO: 17:23:15	1	So I thank you for that clarification. 17:25:10
2	Q. Okay. Is it fair to say that 17:23:16	2	So to be clear, if you obtain 17:25:11
3	Masters identified problematic pharmacies 17:23:17	3	knowledge from a customer that they have 17:25:13
4	before you had identified them in your 17:23:24	4	placed a particularly pharmacy particular 17:25:16
5	October 17, 2011 correspondence to them? 17:23:27	5	pharmacy on their do not ship list, you also 17:25:18
6	A. Yes. 17:23:30	6	would no longer honor chargeback requests 17:25:22
7	MR. O'CONNOR: Object to form. 17:23:30	7	from that particular distributor as it 17:25:26
8	THE WITNESS: According to this 17:23:31	8	relates to pills shipped to that pharmacy, 17:25:29
9	e-mail, yes. 17:23:32	9	correct? 17:25:31
10	QUESTIONS BY MR. KO: 17:23:33	10	A. Correct. 17:25:32
11	Q. Okay. Do you had you had 17:23:33	11	Q. And it would have also been 17:25:33
12	the information let's take Gulf Coast, for 17:23:39	12	problematic to do so, right, because that 17:25:36
13	example. 17:23:42	13	particular pharmacy for a variety of reasons 17:25:38
14	Do you see that by the way, 17:23:42	14	would have certain red flags, correct? 17:25:43
15	do you recall Gulf Coast medical pharmacy? 17:23:46	15	MR. O'CONNOR: Object to form. 17:25:45
16	A. The names all run together. I 17:23:48	16	THE Witness: Yes. 17:25:45
17	do not. I'm sorry. 17:23:51	17	QUESTIONS BY MR. KO: 17:25:47
18	Q. They were I believe that 17:23:51	18	Q. And potentially that pharmacy 17:25:48
19	they were the subject of a DEA indictment, 17:23:53	19	would be engaged in diversion of prescription 17:25:49
20	and they were a particularly problematic 17:23:55	20	opioids, correct? 17:25:52
21	customer. 17:23:58	21	MR. O'CONNOR: Object to form. 17:25:53
22	But regardless, in as of 17:23:59	22	THE WITNESS: Potentially. 17:25:53
23	October 28, 2010, Masters had placed Gulf 17:24:03	23	QUESTIONS BY MR. KO: 17:25:54
24	Coast on their termination list, correct? 17:24:07	24	Q. Okay. And so for each one of 17:25:55
25	MR. O'CONNOR: Object to form. 17:24:09	25	these pharmacies that are listed here that 17:25:58
	D 415		5 445
	Page 415		Page 417
1	THE WITNESS: Yes. 17:24:10	1	predate your correspondence on October 17th, 17:26:02
2	QUESTIONS BY MR. KO: 17:24:14	2	you would agree with me that had you known 17:26:11
3	Q. And sitting here today, would 17:24:14	3	from Masters that they were placed on their 17:26:13
4	you agree with me that if you had shipped 17:24:17	4	termination list, you would have also agreed 17:26:18
5	pills to distributors that sold eventually to 17:24:20	5	that these pharmacies were problematic? 17:26:20
6	Gulf Coast after October 20, 2010, that would 17:24:25	6	MR. O'CONNOR: Object to form. 17:26:22
7	have been a problem, correct? 17:24:31	7	THE WITNESS: Yes. 17:26:23
8	MR. O'CONNOR: Object to form. 17:24:32	8	QUESTIONS BY MR. KO: 17:26:23
9	THE WITNESS: Not a problem we 17:24:33	9	Q. Okay. And shipping orders 17:26:24
10	were aware of. 17:24:37	10	and I understand you don't believe you knew 17:26:27
11	QUESTIONS BY MR. KO: 17:24:37	11	at the time, but shipping orders to these 17:26:30
12	Q. Certainly I understand that you 17:24:39	12	pharmacies after they were placed on a 17:26:33
13	may not have been aware of it, but is it 17:24:41	13	termination list would not be indicative of 17:26:36
14	is it reflective of an effective SOM program 17:24:46	14	an effective SOM program, correct? 17:26:38
15	if you ship orders to a pharmacy that you 17:24:50	15	MR. O'CONNOR: Object to form. 17:26:40
16	know appear on your customer's termination 17:24:53	16	THE WITNESS: Correct. 17:26:40
17	list? 17:24:56	17	(Mallinckrodt-Harper Exhibit 30 17:27:03
18		1	marked for identification.) 17:27:03
	MR. O'CONNOR: Object to form. 17:24:56	18	
19		18	QUESTIONS BY MR. KO: 17:27:03
19 20	MR. O'CONNOR: Object to form. 17:24:56		
	MR. O'CONNOR: Object to form. 17:24:56 THE WITNESS: If we know a 17:24:57	19	QUESTIONS BY MR. KO: 17:27:03
20	MR. O'CONNOR: Object to form. 17:24:56 THE WITNESS: If we know a 17:24:57 customer if we know a pharmacy 17:24:58	19 20	QUESTIONS BY MR. KO: 17:27:03 Q. Okay. I'm going to hand you a 17:27:04
20 21	MR. O'CONNOR: Object to form. 17:24:56 THE WITNESS: If we know a 17:24:57 customer if we know a pharmacy 17:24:58 appears on our customer's termination 17:25:01	19 20 21	QUESTIONS BY MR. KO: 17:27:03  Q. Okay. I'm going to hand you a 17:27:04  copy of what's being marked as Harper 17:27:04
20 21 22	MR. O'CONNOR: Object to form. 17:24:56 THE WITNESS: If we know a 17:24:57 customer if we know a pharmacy 17:24:58 appears on our customer's termination 17:25:01 list, we also discontinue honoring of 17:25:03	19 20 21 22	QUESTIONS BY MR. KO: 17:27:03  Q. Okay. I'm going to hand you a 17:27:04  copy of what's being marked as Harper 17:27:04  Exhibit 30. 17:27:07
20 21 22 23	MR. O'CONNOR: Object to form. 17:24:56 THE WITNESS: If we know a 17:24:57 customer if we know a pharmacy 17:24:58 appears on our customer's termination 17:25:01 list, we also discontinue honoring of 17:25:03 chargebacks to that pharmacy. 17:25:07	19 20 21 22 23	QUESTIONS BY MR. KO: 17:27:03  Q. Okay. I'm going to hand you a 17:27:04  copy of what's being marked as Harper 17:27:04  Exhibit 30. 17:27:07  And for the record, this is a 17:27:10

1 2 3	Page 418		Page 420
2	any copy provided by your counsel or by 17:27:19	1	that Masters put Brooks Pharmacy on their do 17:29:20
	Mallinckrodt but something that we have 17:27:24	2	not ship list as of October 4, 2010, correct? 17:29:25
	prepared. 17:27:25	3	MR. O'CONNOR: Object to form. 17:29:27
4	So Brooks Pharmacy was a 17:27:44	4	MS. FIX MEYER: Object to form. 17:29:28
5	pharmacy that appeared on your letter to all 17:27:47	5	THE WITNESS: If they would 17:29:29
6	distributors, correct? 17:27:50	6	have given it to us. We had some 17:29:30
7	A. Yes. 17:27:51	7	customers that declined to provide 17:29:31
8	Q. Including to Masters, correct? 17:27:51	8	that information, unfortunately. 17:29:32
9	A. Yes. 17:27:53	9	QUESTIONS BY MR. KO: 17:29:35
10	O. And Masters had indicated to 17:27:53	10	Q. Now but we had spoken about 17:29:35
11	you that they had already placed Brooks on 17:27:58	11	an audit before, but you performed an on-site 17:29:36
12	their termination list as of October 4, 2010, 17:27:59	12	audit of Masters, correct? 17:29:41
13	correct? 17:28:02	13	A. Yes. 17:29:42
14	A. Yes. 17:28:02	14	Q. And that on-site audit was all 17:29:42
15	Q. Okay. Based on this chart, it 17:28:03	15	day, I believe? 17:29:44
16	appears that several hundred thousand pills 17:28:09	16	A. Yes. 17:29:44
17	nevertheless shipped to Brooks Pharmacy from 17:28:11	17	Q. Okay. And again, sitting here 17:29:46
18	the period between October 4, 2010, and 17:28:13	18	today, do you believe that shipments made to 17:29:52
19	October 17, 2011, based on chargeback data 17:28:16	19	a an end user after one of your customers 17:29:53
20	that has been provided to us. 17:28:20	20	puts them on the termination list is 17:30:00
21	Do you see that? 17:28:21	21	indicative of an effective suspicious order 17:30:02
22	A. So, yes, but may I ask what the 17:28:22	22	monitoring program? 17:30:04
23	unit of measure is here, please? 17:28:26	23	MR. O'CONNOR: Object to form. 17:30:05
24	Q. Those are total pills. 17:28:28	24	MS. FIX MEYER: Object to 17:30:06
25	A. Dosage units. 17:28:30	25	foundation. 17:30:07
	Page 419		Page 421
1	Q. Dosage units. 17:28:31	1	THE WITNESS: If we are aware 17:30:07
2	A. All right. All right. Thank 17:28:32	2	of it? 17:30:08
3	you. 17:28:32	3	QUESTIONS BY MR. KO: 17:30:09
4	Q. So hundreds of thousands of 17:28:32	4	Q. Yes. 17:30:09
5	dosage units/pills are delivered to Brooks 17:28:35	5	A. So, yes, but not if we're not 17:30:10
6	Pharmacy through Cardinal between October 4, 17:28:39	6	aware of it. 17:30:12
7	2010, and October 17, 2011, correct? 17:28:42	7	Q. Okay. But you had the ability, 17:30:13
8	MR. O'CONNOR: Object to form. 17:28:45	8	and as reflected by this chargeback data that 17:30:15
9	MS. FIX MEYER: Object to form. 17:28:46	9	you had acquired, you had the ability to 17:30:19
10	THE WITNESS: The graph 17:28:47	10	understand where your the details of where 17:30:22
11	indicates that Cardinal sold this 17:28:49	11	your pills were going after you shipped them 17:30:24
12	product to that downstream customer. 17:28:52	12	to the distributor, correct? 17:30:26
13	MS. FIX MEYER: Object to the 17:28:55	13	MR. O'CONNOR: Object to form. 17:30:27
1 1 /	form. Foundation. 17:28:57	14	THE WITNESS: Yes. 17:30:29
14	QUESTIONS BY MR. KO: 17:28:58	15	QUESTIONS BY MR. KO: 17:30:29
15		16	Q. Okay. And by the way, as we 17:30:29
15 16	Q. You can answer the question. 17:28:59		
15 16 17	She's just lodging her objection for the 17:29:00	17	discussed before, you did an audit of 17:30:35
15 16 17 18	She's just lodging her objection for the 17:29:00 record. 17:29:02	17 18	Cardinal's SOM program as well, correct? 17:30:38
15 16 17 18 19	She's just lodging her objection for the 17:29:00 record. 17:29:02  A. Okay. So if I'm to believe the 17:29:02	17 18 19	Cardinal's SOM program as well, correct? 17:30:38 A. Yes. 17:30:40
15 16 17 18 19 20	She's just lodging her objection for the record. 17:29:00  A. Okay. So if I'm to believe the 17:29:02 graph is gospel, yes. It appears that 17:29:04	17 18 19 20	Cardinal's SOM program as well, correct? 17:30:38  A. Yes. 17:30:40  Q. And so would you agree that 17:30:40
15 16 17 18 19 20 21	She's just lodging her objection for the record. 17:29:02  A. Okay. So if I'm to believe the 17:29:02 graph is gospel, yes. It appears that 17:29:04 Cardinal told that number of dosage units to 17:29:06	17 18 19 20 21	Cardinal's SOM program as well, correct? 17:30:38  A. Yes. 17:30:40  Q. And so would you agree that 17:30:40  Cardinal could have asked the same question 17:30:41
15 16 17 18 19 20 21 22	She's just lodging her objection for the record. 17:29:00  A. Okay. So if I'm to believe the 17:29:02 graph is gospel, yes. It appears that 17:29:04 Cardinal told that number of dosage units to 17:29:06 Brooks Pharmacy. 17:29:10	17 18 19 20 21 22	Cardinal's SOM program as well, correct? 17:30:38  A. Yes. 17:30:40  Q. And so would you agree that 17:30:40  Cardinal could have asked the same question as well? 17:30:43
15 16 17 18 19 20 21 22 23	She's just lodging her objection for the record. 17:29:02  A. Okay. So if I'm to believe the 17:29:02 graph is gospel, yes. It appears that 17:29:04  Cardinal told that number of dosage units to 17:29:06  Brooks Pharmacy. 17:29:10  Q. And again, had you asked 17:29:10	17 18 19 20 21 22 23	Cardinal's SOM program as well, correct? 17:30:38  A. Yes. 17:30:40  Q. And so would you agree that 17:30:40  Cardinal could have asked the same question as well? 17:30:43  MR. O'CONNOR: Object to form. 17:30:44
15 16 17 18 19 20 21 22	She's just lodging her objection for the record. 17:29:00  A. Okay. So if I'm to believe the 17:29:02 graph is gospel, yes. It appears that 17:29:04 Cardinal told that number of dosage units to 17:29:06 Brooks Pharmacy. 17:29:10	17 18 19 20 21 22	Cardinal's SOM program as well, correct? 17:30:38  A. Yes. 17:30:40  Q. And so would you agree that 17:30:40  Cardinal could have asked the same question as well? 17:30:43

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	Page 422	,	Page 424
1	THE WITNESS: I don't know the 17:30:46	1	And it appears that based on 17:32:50
2	specifics of Cardinal's interaction 17:30:47	2	the chargeback data that you had access to, 17:32:53
3	with the pharmacies or with their 17:30:49	3	Mallinckrodt had shipped to distributors that 17:32:57
4	customers, so I don't know that I 17:30:51	4	shipped to Island Drug in the June 3, 2010, 17:32:59
5	cannot answer. 17:30:52	5	through October 17, 2011 time period, 17:33:03
6	QUESTIONS BY MR. KO: 17:30:53	6	correct? 17:33:05
7	Q. Sure. Fair enough. 17:30:53	7	A. Yes. 17:33:06
8	Regardless, is it accurate to 17:30:54	8	Q. Okay. And similar to Brooks 17:33:06
9	state, assuming that these numbers are true, 17:30:59	9	Pharmacy, would you agree with me that 17:33:10
10	that Mallinckrodt shipped hundreds of 17:31:00	10	shipping drugs to customers who shipped to 17:33:13
11	thousands of pills to customers, including 17:31:05	11	Island Drug after they appeared on a 17:33:19
12	Cardinal, that eventually shipped to Brooks 17:31:10	12	termination list would be indicative of an 17:33:22
13	Pharmacy after they were placed on the 17:31:13	13	inadequate SOM program? 17:33:26
14	termination list by Masters? 17:31:16	14	MR. O'CONNOR: Object to form. 17:33:28
15	MR. O'CONNOR: Object to form. 17:31:18	15	THE WITNESS: No. 17:33:29
16	MS. FIX MEYER: Object to form. 17:31:19	16	QUESTIONS BY MR. KO: 17:33:29
17	Object to foundation. 17:31:22	17	Q. You would not. 17:33:30
18	THE WITNESS: Yes. 17:31:23	18	A. I would not. 17:33:31
19	QUESTIONS BY MR. KO: 17:31:23	19	Q. Okay. You had as we 17:33:33
20	Q. Okay. Set that aside. 17:31:24	20	discussed before, you had access to this 17:33:38
21	(Mallinckrodt-Harper Exhibit 31 17:31:48	21	chargeback data, correct? 17:33:40
22	marked for identification.) 17:31:49	22	A. Yes. 17:33:41
23	QUESTIONS BY MR. KO: 17:31:49	23	Q. Okay. And you also performed 17:33:42
24	Q. I'm going to hand you just 17:31:50	24	an on-site audit of Masters, correct? 17:33:45
25	another quick copy of some data we were able 17:31:52	25	A. Yes. 17:33:48
	Page 423		Page 425
1	to pull from the chargeback information 17:31:54	-	O A. J 1 - J J J 17.22.40
1 -	to pull from the chargeback information 17:31:54	1	Q. And so assuming you had asked 17:33:48
2	produced by your counsel, and that is I'm 17:31:55	2	them the question of whether or not Masters 17:33:50
2	produced by your counsel, and that is I'm 17:31:55	2	them the question of whether or not Masters 17:33:50
2 3	produced by your counsel, and that is I'm 17:31:55 sorry. I'm handing you a copy of what will 17:32:00	2	them the question of whether or not Masters 17:33:50 had placed Island Drug on their do not ship 17:33:53
2 3 4	produced by your counsel, and that is I'm 17:31:55 sorry. I'm handing you a copy of what will 17:32:00 be marked as Harper Exhibit 31. 17:32:02	2 3 4	them the question of whether or not Masters 17:33:50 had placed Island Drug on their do not ship 17:33:53 list, would you agree with me that it would 17:33:57
2 3 4 5	produced by your counsel, and that is I'm 17:31:55 sorry. I'm handing you a copy of what will 17:32:00 be marked as Harper Exhibit 31. 17:32:02 MR. O'CONNOR: So, again, 17:32:04	2 3 4 5	them the question of whether or not Masters 17:33:50 had placed Island Drug on their do not ship 17:33:53 list, would you agree with me that it would 17:33:57 be indicative of an inadequate SOM program if 17:34:00
2 3 4 5 6	produced by your counsel, and that is I'm 17:31:55 sorry. I'm handing you a copy of what will 17:32:00 be marked as Harper Exhibit 31. 17:32:02 MR. O'CONNOR: So, again, 17:32:04 Counsel, this is a document you 17:32:06	2 3 4 5 6	them the question of whether or not Masters 17:33:50 had placed Island Drug on their do not ship 17:33:53 list, would you agree with me that it would 17:33:57 be indicative of an inadequate SOM program if 17:34:00 you continued to ship drugs to customers who 17:34:05
2 3 4 5 6 7	produced by your counsel, and that is I'm 17:31:55 sorry. I'm handing you a copy of what will 17:32:00 be marked as Harper Exhibit 31. 17:32:02  MR. O'CONNOR: So, again, 17:32:04  Counsel, this is a document you 17:32:06 created? 17:32:07	2 3 4 5 6 7	them the question of whether or not Masters 17:33:50 had placed Island Drug on their do not ship 17:33:53 list, would you agree with me that it would 17:33:57 be indicative of an inadequate SOM program if 17:34:00 you continued to ship drugs to customers who 17:34:05 shipped to Island Drug? 17:34:08
2 3 4 5 6 7 8	produced by your counsel, and that is I'm 17:31:55 sorry. I'm handing you a copy of what will 17:32:00 be marked as Harper Exhibit 31. 17:32:02  MR. O'CONNOR: So, again, 17:32:04  Counsel, this is a document you 17:32:06 created? 17:32:07  MR. KO: This is a 17:32:07	2 3 4 5 6 7 8	them the question of whether or not Masters 17:33:50 had placed Island Drug on their do not ship 17:33:53 list, would you agree with me that it would 17:33:57 be indicative of an inadequate SOM program if 17:34:00 you continued to ship drugs to customers who 17:34:05 shipped to Island Drug? 17:34:08  MR. O'CONNOR: Object to form. 17:34:09
2 3 4 5 6 7 8	produced by your counsel, and that is I'm 17:31:55 sorry. I'm handing you a copy of what will 17:32:00 be marked as Harper Exhibit 31. 17:32:02 MR. O'CONNOR: So, again, 17:32:04 Counsel, this is a document you 17:32:06 created? 17:32:07 MR. KO: This is a 17:32:07 demonstrative exhibit created by us, 17:32:08	2 3 4 5 6 7 8	them the question of whether or not Masters 17:33:50 had placed Island Drug on their do not ship 17:33:53 list, would you agree with me that it would 17:33:57 be indicative of an inadequate SOM program if 17:34:00 you continued to ship drugs to customers who 17:34:05 shipped to Island Drug? 17:34:08  MR. O'CONNOR: Object to form. 17:34:09 THE WITNESS: So the premise is 17:34:09 that we would have asked Masters for 17:34:13 their do not ship list, and there's no 17:34:15
2 3 4 5 6 7 8 9	produced by your counsel, and that is I'm 17:31:55 sorry. I'm handing you a copy of what will 17:32:00 be marked as Harper Exhibit 31. 17:32:02  MR. O'CONNOR: So, again, 17:32:04  Counsel, this is a document you 17:32:06 created? 17:32:07  MR. KO: This is a 17:32:07  demonstrative exhibit created by us, 17:32:08 correct, based on the Excel files 17:32:10	2 3 4 5 6 7 8 9	them the question of whether or not Masters 17:33:50 had placed Island Drug on their do not ship 17:33:53 list, would you agree with me that it would 17:33:57 be indicative of an inadequate SOM program if 17:34:00 you continued to ship drugs to customers who 17:34:05 shipped to Island Drug? 17:34:08  MR. O'CONNOR: Object to form. 17:34:09 THE WITNESS: So the premise is 17:34:09 that we would have asked Masters for 17:34:13
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2 3 4 5 6 7 8 9 10 11	produced by your counsel, and that is I'm 17:31:55 sorry. I'm handing you a copy of what will 17:32:00 be marked as Harper Exhibit 31. 17:32:02  MR. O'CONNOR: So, again, 17:32:04  Counsel, this is a document you 17:32:06 created? 17:32:07  MR. KO: This is a 17:32:07  demonstrative exhibit created by us, 17:32:10 produced to us. 17:32:13  THE WITNESS: Yes, I know. I'm 17:32:13	2 3 4 5 6 7 8 9 10 11	them the question of whether or not Masters 17:33:50 had placed Island Drug on their do not ship 17:33:53 list, would you agree with me that it would 17:33:57 be indicative of an inadequate SOM program if 17:34:00 you continued to ship drugs to customers who 17:34:05 shipped to Island Drug? 17:34:08  MR. O'CONNOR: Object to form. 17:34:09  THE WITNESS: So the premise is 17:34:09 that we would have asked Masters for 17:34:13 their do not ship list, and there's no 17:34:15 assurance whether they would or would 17:34:20
2 3 4 5 6 7 8 9 10 11 12 13	produced by your counsel, and that is I'm 17:31:55 sorry. I'm handing you a copy of what will 17:32:00 be marked as Harper Exhibit 31. 17:32:02 MR. O'CONNOR: So, again, 17:32:04 Counsel, this is a document you 17:32:06 created? 17:32:07 MR. KO: This is a 17:32:07 demonstrative exhibit created by us, 17:32:08 correct, based on the Excel files 17:32:10 produced to us. 17:32:13 THE WITNESS: Yes, I know. I'm 17:32:13 just verifying it against that list, 17:32:13	2 3 4 5 6 7 8 9 10 11 12 13	them the question of whether or not Masters 17:33:50 had placed Island Drug on their do not ship 17:33:53 list, would you agree with me that it would 17:33:57 be indicative of an inadequate SOM program if 17:34:00 you continued to ship drugs to customers who 17:34:05 shipped to Island Drug? 17:34:08  MR. O'CONNOR: Object to form. 17:34:09  THE WITNESS: So the premise is 17:34:09 that we would have asked Masters for 17:34:13 their do not ship list, and there's no 17:34:15 assurance whether they would or would 17:34:20 not have provided it. But if we would 17:34:21 have known which customers Masters had 17:34:24 terminated, we would have put them on 17:34:26
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2 3 4 5 6 7 8 9 10 11 12 13 14 15	produced by your counsel, and that is I'm 17:31:55 sorry. I'm handing you a copy of what will 17:32:00 be marked as Harper Exhibit 31. 17:32:02  MR. O'CONNOR: So, again, 17:32:04 Counsel, this is a document you 17:32:06 created? 17:32:07  MR. KO: This is a 17:32:07 demonstrative exhibit created by us, 17:32:08 correct, based on the Excel files 17:32:10 produced to us. 17:32:13  THE WITNESS: Yes, I know. I'm 17:32:13 just verifying it against that list, 17:32:13 yes. Okay. 17:32:16  QUESTIONS BY MR. KO: 17:32:18	2 3 4 5 6 7 8 9 10 11 12 13 14	them the question of whether or not Masters 17:33:50 had placed Island Drug on their do not ship 17:33:53 list, would you agree with me that it would 17:33:57 be indicative of an inadequate SOM program if 17:34:00 you continued to ship drugs to customers who 17:34:05 shipped to Island Drug? 17:34:08  MR. O'CONNOR: Object to form. 17:34:09 THE WITNESS: So the premise is 17:34:09 that we would have asked Masters for 17:34:13 their do not ship list, and there's no 17:34:15 assurance whether they would or would 17:34:20 not have provided it. But if we would 17:34:21 have known which customers Masters had 17:34:24 terminated, we would have put them on 17:34:26
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	produced by your counsel, and that is I'm 17:31:55 sorry. I'm handing you a copy of what will 17:32:00 be marked as Harper Exhibit 31. 17:32:02  MR. O'CONNOR: So, again, 17:32:04 Counsel, this is a document you 17:32:06 created? 17:32:07  MR. KO: This is a 17:32:07 demonstrative exhibit created by us, 17:32:08 correct, based on the Excel files 17:32:10 produced to us. 17:32:13  THE WITNESS: Yes, I know. I'm 17:32:13 just verifying it against that list, 17:32:13 yes. Okay. 17:32:16  QUESTIONS BY MR. KO: 17:32:18 similar to Exhibit 30. This is a chart that 17:32:19	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	them the question of whether or not Masters 17:33:50 had placed Island Drug on their do not ship 17:33:53 list, would you agree with me that it would 17:33:57 be indicative of an inadequate SOM program if 17:34:00 you continued to ship drugs to customers who 17:34:05 shipped to Island Drug? 17:34:08  MR. O'CONNOR: Object to form. 17:34:09 THE WITNESS: So the premise is 17:34:09 that we would have asked Masters for 17:34:13 their do not ship list, and there's no 17:34:15 assurance whether they would or would 17:34:20 not have provided it. But if we would 17:34:21 have known which customers Masters had 17:34:24 terminated, we would have put them on 17:34:26 our chargeback restriction list. 17:34:29
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	produced by your counsel, and that is I'm 17:31:55 sorry. I'm handing you a copy of what will 17:32:00 be marked as Harper Exhibit 31. 17:32:02  MR. O'CONNOR: So, again, 17:32:04 Counsel, this is a document you 17:32:06 created? 17:32:07  MR. KO: This is a 17:32:07 demonstrative exhibit created by us, 17:32:08 correct, based on the Excel files 17:32:10 produced to us. 17:32:13  THE WITNESS: Yes, I know. I'm 17:32:13 just verifying it against that list, 17:32:13 yes. Okay. 17:32:16  QUESTIONS BY MR. KO: 17:32:18 similar to Exhibit 30. This is a chart that 17:32:19 shows pills that were shipped to Island Drug 17:32:23	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	them the question of whether or not Masters 17:33:50 had placed Island Drug on their do not ship 17:33:53 list, would you agree with me that it would 17:33:57 be indicative of an inadequate SOM program if 17:34:00 you continued to ship drugs to customers who 17:34:05 shipped to Island Drug? 17:34:08  MR. O'CONNOR: Object to form. 17:34:09  THE WITNESS: So the premise is 17:34:09 that we would have asked Masters for 17:34:13 their do not ship list, and there's no 17:34:15 assurance whether they would or would 17:34:21 have known which customers Masters had 17:34:24 terminated, we would have put them on 17:34:26 our chargeback restriction list. 17:34:28  QUESTIONS BY MR. KO: 17:34:30
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	produced by your counsel, and that is I'm 17:31:55 sorry. I'm handing you a copy of what will 17:32:00 be marked as Harper Exhibit 31. 17:32:02  MR. O'CONNOR: So, again, 17:32:04 Counsel, this is a document you 17:32:06 created? 17:32:07  MR. KO: This is a 17:32:07 demonstrative exhibit created by us, 17:32:08 correct, based on the Excel files 17:32:10 produced to us. 17:32:13  THE WITNESS: Yes, I know. I'm 17:32:13 just verifying it against that list, 17:32:13 yes. Okay. 17:32:16 QUESTIONS BY MR. KO: 17:32:18 similar to Exhibit 30. This is a chart that 17:32:19 shows pills that were shipped to Island Drug 17:32:28 by your customers from the January 2010 to 17:32:28	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	them the question of whether or not Masters 17:33:50 had placed Island Drug on their do not ship 17:33:53 list, would you agree with me that it would 17:33:57 be indicative of an inadequate SOM program if 17:34:00 you continued to ship drugs to customers who 17:34:05 shipped to Island Drug? 17:34:08  MR. O'CONNOR: Object to form. 17:34:09  THE WITNESS: So the premise is 17:34:09 that we would have asked Masters for 17:34:13 their do not ship list, and there's no 17:34:15 assurance whether they would or would 17:34:21 have known which customers Masters had 17:34:24 terminated, we would have put them on 17:34:26 our chargeback restriction list. 17:34:28  QUESTIONS BY MR. KO: 17:34:30 would have also determined that you should 17:34:34 stop shipping orders to customers that sell 17:34:36 to that particular pharmacy as well, correct? 17:34:38
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	produced by your counsel, and that is I'm 17:31:55 sorry. I'm handing you a copy of what will 17:32:00 be marked as Harper Exhibit 31. 17:32:02  MR. O'CONNOR: So, again, 17:32:04 Counsel, this is a document you 17:32:06 created? 17:32:07  MR. KO: This is a 17:32:07 demonstrative exhibit created by us, 17:32:08 correct, based on the Excel files 17:32:10 produced to us. 17:32:13  THE WITNESS: Yes, I know. I'm 17:32:13 just verifying it against that list, 17:32:13 yes. Okay. 17:32:16  QUESTIONS BY MR. KO: 17:32:18 similar to Exhibit 30. This is a chart that 17:32:19 shows pills that were shipped to Island Drug 17:32:23 by your customers from the January 2010 to 17:32:28 September 2011 time period. 17:32:33	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	them the question of whether or not Masters 17:33:50 had placed Island Drug on their do not ship 17:33:53 list, would you agree with me that it would 17:33:57 be indicative of an inadequate SOM program if 17:34:00 you continued to ship drugs to customers who 17:34:05 shipped to Island Drug? 17:34:08  MR. O'CONNOR: Object to form. 17:34:09 THE WITNESS: So the premise is 17:34:09 that we would have asked Masters for 17:34:13 their do not ship list, and there's no 17:34:15 assurance whether they would or would 17:34:20 not have provided it. But if we would 17:34:21 have known which customers Masters had 17:34:24 terminated, we would have put them on 17:34:26 our chargeback restriction list. 17:34:28 QUESTIONS BY MR. KO: 17:34:30 would have also determined that you should 17:34:34 stop shipping orders to customers that sell 17:34:36
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	produced by your counsel, and that is I'm 17:31:55 sorry. I'm handing you a copy of what will 17:32:00 be marked as Harper Exhibit 31. 17:32:02  MR. O'CONNOR: So, again, 17:32:04 Counsel, this is a document you 17:32:06 created? 17:32:07  MR. KO: This is a 17:32:07 demonstrative exhibit created by us, 17:32:08 correct, based on the Excel files 17:32:10 produced to us. 17:32:13  THE WITNESS: Yes, I know. I'm 17:32:13 just verifying it against that list, 17:32:13 yes. Okay. 17:32:16  QUESTIONS BY MR. KO: 17:32:18 similar to Exhibit 30. This is a chart that 17:32:19 shows pills that were shipped to Island Drug 17:32:23 by your customers from the January 2010 to 17:32:28 September 2011 time period. 17:32:33 And in particular, there is 17:32:35	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	them the question of whether or not Masters 17:33:50 had placed Island Drug on their do not ship 17:33:53 list, would you agree with me that it would 17:33:57 be indicative of an inadequate SOM program if 17:34:00 you continued to ship drugs to customers who 17:34:05 shipped to Island Drug? 17:34:08  MR. O'CONNOR: Object to form. 17:34:09  THE WITNESS: So the premise is 17:34:09 that we would have asked Masters for 17:34:13 their do not ship list, and there's no 17:34:15 assurance whether they would or would 17:34:20 not have provided it. But if we would 17:34:21 have known which customers Masters had 17:34:24 terminated, we would have put them on 17:34:26 our chargeback restriction list. 17:34:28  QUESTIONS BY MR. KO: 17:34:30 would have also determined that you should 17:34:34 stop shipping orders to customers that sell 17:34:36 to that particular pharmacy as well, correct? 17:34:38
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	Page 426		Page 428
1	totally stop the shipment of 17:34:48	1	the time of their suspension. 17:47:06
2	Mallinckrodt product to a pharmacy. 17:34:49	2	QUESTIONS BY MR. KO: 17:47:07
3	QUESTIONS BY MR. KO: 17:34:51	3	Q. All right. And you weren't 17:47:07
4	Q. Okay. You would recommend 17:34:51	4	aware of the total amount of oxy 15 and 17:47:09
5	to one of the reasons why you would not 17:34:57	5	oxy 30 pills they sent to end users, 17:47:11
6	honor the chargeback request is to notify the 17:34:58	6	including pain clinics and pharmacies, 17:47:17
7	distributor that you would not be paying them 17:35:01	7	correct? 17:47:20
8	the difference between the amount that they 17:35:03	8	A. So I realize I'm under oath, 17:47:20
9	agreed upon with you and the subsequent price 17:35:07	9	and I saw that data that I you said I 17:47:23
10	that they're receiving for the drug in the 17:35:10	10	extracted, and I don't know the timing of 17:47:25
11	downstream transaction, correct? 17:35:12	11	that in correlation to when their license was 17:47:27
12	A. Yes. 17:35:13	12	suspend, if it was before or after. 17:47:30
13	Q. Okay. So it would in other 17:35:13	13	Q. And I'll represent to you it 17:47:31
14	words, it would alert the distributor it 17:35:14	14	was before their license was suspended. 17:47:32
15	would alert the distributor to the 17:35:23	15	And I am just simply asking 17:47:34
16	possibility that that particular pharmacy was 17:35:25	16	A. Okay. 17:47:36
17	problematic, correct? 17:35:26	17	Q whether or not at any point 17:47:36
18	MR. O'CONNOR: Object to form. 17:35:27	18	in time you became aware of how many orders 17:47:38
19	THE WITNESS: Yes. 17:35:27	19	of oxy 15 or oxy 30s they had sent to pain 17:47:41
20	MR. KO: Okay. You can set 17:35:29	20	clinics, pharmacies or medical doctors. 17:47:45
21	this aside. 17:35:36	21	A. In Florida? 17:47:47
22	Why don't we take a quick break 17:35:41	22	Q. At any time. 17:47:50
23	and 17:35:43	23	A. Anywhere? 17:47:50
24	VIDEOGRAPHER: We are going off 17:35:45	24	Q. Anywhere. 17:47:51
25	the record at 5:35 p.m. 17:35:46	25	A. Clearly, I must have because 17:47:52
	Page 427		Page 429
1	(Off the record at 5:35 p.m.) 17:35:48	1	but was that chargeback report unique to 17:47:55
2	VIDEOGRAPHER: We are back on 17:46:10	2	Florida? 17:47:58
3	the record at 5:46 p.m. 17:46:12	3	I'm sorry. 17:48:00
4	QUESTIONS BY MR. KO: 17:46:14	4	Q. No, that's okay. 17:48:00
5	Q. Okay. Thank you again, 17:46:14	5	A. I'm so sorry. I'm getting 17:48:01
6	Ms. Harper. As the court reporter indicated, 17:46:17	6	mixed up here. 17:48:03
7	we have about approximately 25 minutes, and I 17:46:18	7	Q. No, it's okay. 17:48:03
8	appreciate your patience thus far today. 17:46:20	8	Sitting here today, would you 17:48:05
9	Going back to our discussion 17:46:22	9	agree with me that it would be suspicious for 17:48:20
10	about Harvard, putting aside the details of 17:46:26	10	Harvard Drug to sell oxy 15s and oxy 30s to 17:48:21
11	how that chart was created or the information 17:46:32	11	pain clinics, pharmacies and medical doctors 17:48:25
12	that you had requested through chargeback 17:46:37	12	through a veterinary supply company? 17:48:28
13	reports, sitting here today, you weren't 17:46:39	13	MR. O'CONNOR: Object to form. 17:48:32
14	aware that Harvard Drug had sent, on 12,486 17:46:43	14	THE WITNESS: I don't know 17:48:33
15	occasions, oxy 15 and 30 to pain clinics, 17:46:49	15	their corporate structure, so that 17:48:34
16	pharmacies and medical doctors; is that 17:46:53	16	would have been something, if it had 17:48:36
17	accurate? 17:46:55	17	come to our attention, we would have 17:48:38
18	MR. O'CONNOR: Object to form. 17:46:55	18	asked Harvard more questions about 17:48:41
19	THE WITNESS: I'm not aware or 17:46:55	19	their their business model. 17:48:43
20	I wasn't aware? I'm sorry. 17:46:58	20	QUESTIONS BY MR. KO: 17:48:44
21	QUESTIONS BY MR. KO: 17:47:00	21	Q. Sure. 17:48:44
22	Q. Let's take you weren't aware at 17:47:00	22	As a general matter, do you 17:48:45
23	the time. 17:47:03	23	recall any instances in which you sold 17:48:46
24	MR. O'CONNOR: Same objection. 17:47:03	24	prescription opioids to vet companies? 17:48:48
25	THE WITNESS. I was an 14 arrange of 17,47,04	25	MD O'CONNOD: Object to form 17:49:51
23	THE WITNESS: I wasn't aware at 17:47:04	25	MR. O'CONNOR: Object to form. 17:48:51

	<i>3</i> 1		
	Page 430		Page 432
1	THE WITNESS: There may have 17:48:51	1	Q. Sorry, a DPM? 17:50:47
2	been one. 17:48:55	2	A. Yes. 17:50:47
3	QUESTIONS BY MR. KO: 17:48:55	3	Q. Do I understand correctly? 17:50:50
4	Q. Okay. And what which 17:48:55	4	A. Yes. 17:50:50
5	instance was that, and when did that occur? 17:48:57	5	Q. And what does DPM stand for? 17:50:51
6	A. It was I don't know the 17:48:59	6	A. Diversion program manager. 17:50:53
7	date. I remember a customer no, strike 17:49:01	7	Q. Okay. And he had spent some 17:50:53
8	that, please. 17:49:06	8	amount of years at the DEA as a DPM, correct? 17:50:55
9	I'm not aware of any sales to 17:49:06	9	And I believe in Atlanta? 17:50:56
10	veterinary companies. 17:49:09	10	A. He was in Atlanta when he 17:50:57 retired. Prior to that, he was our group 17:51:01
11	Q. Are you aware of any legitimate 17:49:10	11	, 2 1
12	medical reason for Mallinckrodt to ship pills 17:49:13	12	supervisor in St. Louis, so I don't know the 17:51:03
13	to veterinary clinics? And by "pills" I mean 17:49:19	13	date of his promotion. 17:51:06  Q. Okay. So before are you 17:51:07
14	particularly prescription opioids. 17:49:25		
16	MR. O'CONNOR: Object to form. 17:49:26	15 16	saying before he went to DEA, he was an 17:51:08 employee of Mallinckrodt? 17:51:12
	THE WITNESS: So through some 17:49:27		* *
17	event, I don't remember why, we 17:49:31 checked with a couple vets, and indeed 17:49:33	17 18	A. No, I'm sorry. I beg your 17:51:13 pardon. 17:51:15
19	•	19	For St. Louis DEA he was 17:51:16
20	there are times when doctors prescribe 17:49:36 opioids for pain in animals. 17:49:38	20	diversion group supervisor, and then he was 17:51:18
21	QUESTIONS BY MR. KO: 17:49:41	21	promoted to diversion program manager and 17:51:20
22	Q. Would you agree with me that 17:49:42	22	went to Atlanta, but I'm not certain of 17:51:23
23	that would be a rare occurrence? 17:49:42	23	the the timing of his move to Atlanta. 17:51:25
24	MR. O'CONNOR: Object to form. 17:49:44	24	Q. I see. 17:51:28
25	THE WITNESS: I don't know the 17:49:45	25	So this is in connection 17:51:30
	Page 431		Page 433
1	frequency. 17:49:45	1	
2	(Mallinckrodt-Harper Exhibit 32 17:49:57	2	A. Yes, sir. 17:51:33
3	marked for identification.) 17:49:46	3	Q. Okay. And at some point in the 17:51:34
4	QUESTIONS BY MR. KO: 17:49:46	4	2010 time period, Mallinckrodt retained 17:51:36
5	Q. Okay. I'm going to hand you a 17:49:46	5	Mr. Davis, correct? 17:51:39
6	copy of what's going to be marked as 17:49:52	6	A. Yes. 17:51:40
7	Exhibit 32. 17:49:56	7	Q. And they retained him 17:51:41
8	And for the record, this is 17:49:59	8	specifically to examine the then existing 17:51:43
10	ends in Bates 269399. 17:50:02 Ms. Harper, do you recognize 17:50:17	10	suspicious order monitoring program? 17:51:47
10		10	A. Yes. 17:51:47 Q. Okay. And so I know he was 17:51:48
12	this memo from Howard Davis to you dated 17:50:18 November 2, 2010? 17:50:24	12	Q. Okay. And so I know he was 17:51:48 retained for a brief period of time, but do 17:51:53
13	A. I do. 17:50:24	13	you recall how long his engagement lasted? 17:51:58
14	Q. Okay. And Howard Davis, as we 17:50:27	14	A. A couple of months, at most. 17:52:02
15	had discussed before, was a consultant you 17:50:29	15	Q. Okay. Now, this memo, is it 17:52:07
16	had retained in connection with your SOM 17:50:31	16	accurate to describe it is his overview of 17:52:08
17	program; is that correct? 17:50:35	17	the suspicious order monitoring program based 17:52:17
18	A. Yes. 17:50:36	18	on his review? Is that fair to say? 17:52:19
19	Q. Okay. And Howard Davis was 17:50:37	19	A. Yes, he was reviewing one 17:52:22
20	ex-DEA? 17:50:40	20	particular procedure. 17:52:24
21	A. Yes. 17:50:41	21	Q. Okay. 17:52:25
22	Q. And I believe he was, in 17:50:41	22	A. Yes. 17:52:25
23	particular, a DRM. 17:50:43	23	Q. And the procedure is consistent 17:52:25
24	Do I understand 17:50:45	24	with the formal documents we were referring 17:52:28
25	A. DPM. 17:50:46	25	to earlier that you were in charge of 17:52:29
	71. DI WI. 17.30.40	ر کے ا	to carrier that you were in charge of 17.32.29
		$\perp$	

	Page 434		Page 436
1	drafting that outlined the policies and 17:52:32	1	which he says, quote, "Federal Register 17:54:56
2	procedures Mallinckrodt would follow to 17:52:37	2	Notices published as early as 2007, 72 17:54:59
3	identify potentially suspicious orders, 17:52:38	3	Federal Register 36487, state specifically 17:55:02
4	correct? 17:52:40	4	that using formulas that rely on percentages 17:55:05
5	MR. O'CONNOR: Object to form. 17:52:40	5	or averages over time has been determined, by 17:55:07
6	THE WITNESS: Yes. 17:52:41	6	the DEA, to be insufficient." 17:55:10
7	QUESTIONS BY MR. KO: 17:52:41	7	Did I read that correctly? 17:55:12
8	Q. Okay. And in his review of 17:52:41	8	A. Yes. 17:55:14
9	this particular draft of the suspicious order 17:52:45	9	Q. Okay. And the Federal Register 17:55:18
10	monitoring program actually, let's take a 17:52:50	10	that he's referring to that's been published 17:55:21
11	step back. 17:52:57	11	as early as 2007, I believe that's also 17:55:24
12	During the time that you were 17:52:57	12	reference to the Southwood notice; is that 17:55:26
13	drafting and revising these policies, you had 17:53:01	13	correct? 17:55:27
14	previously testified that you were still 17:53:04	14	A. I don't know for certain, but 17:55:27
15	utilizing a suspicious order monitoring 17:53:08	15	if 17:55:29
16	program, correct? 17:53:10	16	Q. Okay. 17:55:30
17	A. Yes. 17:53:11	17	A. Yes, if you say so, yes. 17:55:31
18	Q. And with the suspicious order 17:53:12	18	Q. Setting aside which particular 17:55:32
19	monitoring program being utilized during a 17:53:16	19	Federal Register that refers to, he reports 17:55:35
20	particular time period between 2008 and 2012, 17:53:19	20	to you as of November 2, 2010, that it is in 17:55:37
21	would it be reflective of a draft policy that 17:53:23	21	fact his belief that a suspicious order 17:55:42
22	you are writing or would it be reflective of 17:53:27	22	monitoring program that uses formulas to rely 17:55:48
23	some other policy? 17:53:32	23	on percentages or averages over time would be 17:55:49
24	MR. O'CONNOR: Object to form. 17:53:34	24	insufficient, correct? 17:55:52
25	THE WITNESS: We have a 17:53:34	25	MR. O'CONNOR: Object to form. 17:55:53
	THE WITHESS. We have a 17.55.51		Mic. o control. object to form. 17.33.33
	Page 435		Page 437
1	document management system, and 17:53:37	1	THE WITNESS: Those are the 17:55:54
+		-	
2	then so after all the approvals, 17:53:43	2	statements he made, yes. 17:55:55
	then so after all the approvals, 17:53:43 it's housed there and it's considered 17:53:45		
2	then so after all the approvals, 17:53:43 it's housed there and it's considered 17:53:45 a formal policy. However, DEA 17:53:47	2	statements he made, yes. 17:55:55  QUESTIONS BY MR. KO: 17:56:15  Q. Okay. He goes on to state that 17:56:15
2 3	then so after all the approvals, 17:53:43 it's housed there and it's considered 17:53:45 a formal policy. However, DEA 17:53:47 compliance did not use that system. 17:53:50	2 3	statements he made, yes. 17:55:55  QUESTIONS BY MR. KO: 17:56:15  Q. Okay. He goes on to state that 17:56:15  "an order must not be processed and filled if 17:56:17
2 3 4	then so after all the approvals, 17:53:43 it's housed there and it's considered 17:53:45 a formal policy. However, DEA 17:53:47	2 3 4	statements he made, yes. 17:55:55  QUESTIONS BY MR. KO: 17:56:15  Q. Okay. He goes on to state that 17:56:15
2 3 4 5	then so after all the approvals, 17:53:43 it's housed there and it's considered 17:53:45 a formal policy. However, DEA 17:53:47 compliance did not use that system. 17:53:50	2 3 4 5	statements he made, yes. 17:55:55  QUESTIONS BY MR. KO: 17:56:15  Q. Okay. He goes on to state that 17:56:15  "an order must not be processed and filled if 17:56:17
2 3 4 5 6	then so after all the approvals, 17:53:43 it's housed there and it's considered 17:53:45 a formal policy. However, DEA 17:53:47 compliance did not use that system. 17:53:50 So indeed this controlled 17:53:52	2 3 4 5 6	statements he made, yes. 17:55:55  QUESTIONS BY MR. KO: 17:56:15  Q. Okay. He goes on to state that 17:56:15  "an order must not be processed and filled if 17:56:17  it is either suspicious or excessive." 17:56:21
2 3 4 5 6 7	then so after all the approvals, 17:53:43 it's housed there and it's considered 17:53:45 a formal policy. However, DEA 17:53:47 compliance did not use that system. 17:53:50 So indeed this controlled 17:53:52 substance compliance 3.0 was in draft 17:53:55	2 3 4 5 6 7	statements he made, yes. 17:55:55  QUESTIONS BY MR. KO: 17:56:15  Q. Okay. He goes on to state that 17:56:15  "an order must not be processed and filled if 17:56:17  it is either suspicious or excessive." 17:56:21  Do you see that? 17:56:22
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2 3 4 5 6 7 8 9 10	then so after all the approvals, 17:53:43 it's housed there and it's considered 17:53:45 a formal policy. However, DEA 17:53:47 compliance did not use that system. 17:53:50 So indeed this controlled 17:53:52 substance compliance 3.0 was in draft 17:53:55 form for a while, and I do not know if 17:53:57 it was finalized, but we were 17:54:00 operating by it. 17:54:02 QUESTIONS BY MR. KO: 17:54:02	2 3 4 5 6 7 8 9 10	statements he made, yes. 17:55:55  QUESTIONS BY MR. KO: 17:56:15  Q. Okay. He goes on to state that 17:56:15  "an order must not be processed and filled if 17:56:17  it is either suspicious or excessive." 17:56:21  Do you see that? 17:56:22  A. Yes. 17:56:23  Q. "The existing SOP excels to 17:56:23  meet this requirement through a specific evaluation process; however, the numeric 17:56:28
2 3 4 5 6 7 8 9 10 11	then so after all the approvals, 17:53:43 it's housed there and it's considered 17:53:45 a formal policy. However, DEA 17:53:47 compliance did not use that system. 17:53:50 So indeed this controlled 17:53:52 substance compliance 3.0 was in draft 17:53:55 form for a while, and I do not know if 17:53:57 it was finalized, but we were 17:54:00 operating by it. 17:54:02 QUESTIONS BY MR. KO: 17:54:02 Q. Right. Okay. And that's 17:54:03	2 3 4 5 6 7 8 9 10 11	statements he made, yes. 17:55:55  QUESTIONS BY MR. KO: 17:56:15  Q. Okay. He goes on to state that 17:56:15  "an order must not be processed and filled if 17:56:17 it is either suspicious or excessive." 17:56:21  Do you see that? 17:56:22  A. Yes. 17:56:23  Q. "The existing SOP excels to 17:56:23 meet this requirement through a specific 17:56:25 evaluation process; however, the numeric 17:56:28 formula is problematic. For example, should 17:56:32
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2 3 4 5 6 7 8 9 10 11 12 13 14 15	then so after all the approvals, 17:53:43 it's housed there and it's considered 17:53:45 a formal policy. However, DEA 17:53:47 compliance did not use that system. 17:53:50 So indeed this controlled 17:53:52 substance compliance 3.0 was in draft 17:53:55 form for a while, and I do not know if 17:53:57 it was finalized, but we were 17:54:00 operating by it. 17:54:02 QUESTIONS BY MR. KO: 17:54:02 Q. Right. Okay. And that's 17:54:03 helpful. 17:54:05 So as you prepared drafts, 17:54:05 whatever operative draft that you were 17:54:07	2 3 4 5 6 7 8 9 10 11 12 13 14	statements he made, yes. 17:55:55  QUESTIONS BY MR. KO: 17:56:15  Q. Okay. He goes on to state that 17:56:15  "an order must not be processed and filled if 17:56:17  it is either suspicious or excessive." 17:56:21  Do you see that? 17:56:22  A. Yes. 17:56:23  Q. "The existing SOP excels to 17:56:23  meet this requirement through a specific 17:56:25  evaluation process; however, the numeric 17:56:28  formula is problematic. For example, should 17:56:32  an occasion arise where an order is three 17:56:32  times over the historical average for that 17:56:35  customer in item, or in a situation where the 17:56:36
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	then so after all the approvals, 17:53:43 it's housed there and it's considered 17:53:45 a formal policy. However, DEA 17:53:47 compliance did not use that system. 17:53:50 So indeed this controlled 17:53:52 substance compliance 3.0 was in draft 17:53:55 form for a while, and I do not know if 17:53:57 it was finalized, but we were 17:54:00 operating by it. 17:54:02 QUESTIONS BY MR. KO: 17:54:02 Q. Right. Okay. And that's 17:54:03 helpful. 17:54:05 So as you prepared drafts, 17:54:05 whatever operative draft that you were 17:54:10	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	statements he made, yes. 17:55:55  QUESTIONS BY MR. KO: 17:56:15  Q. Okay. He goes on to state that 17:56:15  "an order must not be processed and filled if 17:56:17 it is either suspicious or excessive." 17:56:21  Do you see that? 17:56:22  A. Yes. 17:56:23  Q. "The existing SOP excels to 17:56:23 meet this requirement through a specific evaluation process; however, the numeric 17:56:28 formula is problematic. For example, should 17:56:32 an occasion arise where an order is three 17:56:32 times over the historical average for that 17:56:35 customer in item, or in a situation where the 17:56:36 order meets but does not exceed the 3X 17:56:38
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	then so after all the approvals, 17:53:43 it's housed there and it's considered 17:53:45 a formal policy. However, DEA 17:53:47 compliance did not use that system. 17:53:50 So indeed this controlled 17:53:52 substance compliance 3.0 was in draft 17:53:55 form for a while, and I do not know if 17:53:57 it was finalized, but we were 17:54:00 operating by it. 17:54:02 QUESTIONS BY MR. KO: 17:54:02 Q. Right. Okay. And that's 17:54:03 helpful. 17:54:05 So as you prepared drafts, 17:54:05 whatever operative draft that you were 17:54:10 that you would follow with respect to 17:54:15	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	statements he made, yes. 17:55:55  QUESTIONS BY MR. KO: 17:56:15  Q. Okay. He goes on to state that 17:56:15  "an order must not be processed and filled if 17:56:17 it is either suspicious or excessive." 17:56:21  Do you see that? 17:56:22  A. Yes. 17:56:23  Q. "The existing SOP excels to 17:56:23 meet this requirement through a specific evaluation process; however, the numeric 17:56:28 formula is problematic. For example, should 17:56:32 an occasion arise where an order is three 17:56:32 times over the historical average for that 17:56:35 customer in item, or in a situation where the 17:56:36 order meets but does not exceed the 3X 17:56:38 criteria, it would theoretically be filled 17:56:42
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	then so after all the approvals, 17:53:43 it's housed there and it's considered 17:53:45 a formal policy. However, DEA 17:53:47 compliance did not use that system. 17:53:50 So indeed this controlled 17:53:52 substance compliance 3.0 was in draft 17:53:55 form for a while, and I do not know if 17:53:57 it was finalized, but we were 17:54:00 operating by it. 17:54:02 QUESTIONS BY MR. KO: 17:54:03 helpful. 17:54:05 So as you prepared drafts, 17:54:05 whatever operative draft that you were working on at the time was also the policy 17:54:10 that you would follow with respect to 17:54:15 Mallinckrodt's suspicious order monitoring 17:54:16	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	statements he made, yes. 17:55:55  QUESTIONS BY MR. KO: 17:56:15  Q. Okay. He goes on to state that 17:56:15  "an order must not be processed and filled if 17:56:17  it is either suspicious or excessive." 17:56:21  Do you see that? 17:56:22  A. Yes. 17:56:23  Q. "The existing SOP excels to 17:56:23  meet this requirement through a specific 17:56:25  evaluation process; however, the numeric 17:56:28  formula is problematic. For example, should 17:56:32  an occasion arise where an order is three 17:56:32  times over the historical average for that 17:56:35  customer in item, or in a situation where the 17:56:36  order meets but does not exceed the 3X 17:56:38  criteria, it would theoretically be filled 17:56:42  through normal processing without further 17:56:44
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	then so after all the approvals, 17:53:43 it's housed there and it's considered 17:53:45 a formal policy. However, DEA 17:53:47 compliance did not use that system. 17:53:50 So indeed this controlled 17:53:52 substance compliance 3.0 was in draft 17:53:55 form for a while, and I do not know if 17:53:57 it was finalized, but we were 17:54:00 operating by it. 17:54:02 QUESTIONS BY MR. KO: 17:54:02 Q. Right. Okay. And that's 17:54:03 helpful. 17:54:05 So as you prepared drafts, 17:54:05 whatever operative draft that you were 17:54:10 that you would follow with respect to 17:54:15 Mallinckrodt's suspicious order monitoring 17:54:16 obligations, correct? 17:54:18	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	statements he made, yes. 17:55:55  QUESTIONS BY MR. KO: 17:56:15  Q. Okay. He goes on to state that 17:56:15  "an order must not be processed and filled if 17:56:17 it is either suspicious or excessive." 17:56:21  Do you see that? 17:56:22  A. Yes. 17:56:23  Q. "The existing SOP excels to 17:56:23  meet this requirement through a specific evaluation process; however, the numeric 17:56:28 formula is problematic. For example, should 17:56:32 an occasion arise where an order is three 17:56:32 times over the historical average for that 17:56:35 customer in item, or in a situation where the 17:56:38 criteria, it would theoretically be filled 17:56:42 through normal processing without further 17:56:44 question. In doing so, in certain cases and 17:56:46
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	then so after all the approvals, it's housed there and it's considered a formal policy. However, DEA a formal policy. 17:53:47 a formal policy and in the formal policy and in the formal policy. So indeed this controlled a formal policy. The formal policy and in the formal policy. The formal policy are formal policy. The formal policy and in the formal policy. The formal policy are formal policy. The formal policy and in the formal policy. The formal policy are formal policy are formal policy. The formal policy are formal policy. The formal pol	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	statements he made, yes. 17:55:55  QUESTIONS BY MR. KO: 17:56:15  Q. Okay. He goes on to state that 17:56:15  "an order must not be processed and filled if 17:56:17  it is either suspicious or excessive." 17:56:21  Do you see that? 17:56:22  A. Yes. 17:56:23  Q. "The existing SOP excels to 17:56:23  meet this requirement through a specific 17:56:25  evaluation process; however, the numeric 17:56:28  formula is problematic. For example, should 17:56:32  an occasion arise where an order is three 17:56:32  times over the historical average for that 17:56:35  customer in item, or in a situation where the 17:56:36  order meets but does not exceed the 3X 17:56:38  criteria, it would theoretically be filled 17:56:42  through normal processing without further 17:56:44  question. In doing so, in certain cases and 17:56:46  as noted in recent immediate suspensions of 17:56:50  other large-scale DEA registrants, which are 17:56:53
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	then so after all the approvals, 17:53:43 it's housed there and it's considered 17:53:45 a formal policy. However, DEA 17:53:47 compliance did not use that system. 17:53:50 So indeed this controlled 17:53:52 substance compliance 3.0 was in draft 17:53:55 form for a while, and I do not know if 17:53:57 it was finalized, but we were 17:54:00 operating by it. 17:54:02 QUESTIONS BY MR. KO: 17:54:02 Q. Right. Okay. And that's 17:54:03 helpful. 17:54:05 So as you prepared drafts, 17:54:05 whatever operative draft that you were 17:54:07 working on at the time was also the policy 17:54:10 that you would follow with respect to 17:54:15 Mallinckrodt's suspicious order monitoring 17:54:16 obligations, correct? 17:54:18 A. Correct. 17:54:19 Q. Okay. Now, he Mr. Davis 17:54:33	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	statements he made, yes. 17:55:55  QUESTIONS BY MR. KO: 17:56:15  Q. Okay. He goes on to state that 17:56:15  "an order must not be processed and filled if 17:56:17 it is either suspicious or excessive." 17:56:21  Do you see that? 17:56:22  A. Yes. 17:56:23  Q. "The existing SOP excels to 17:56:23  meet this requirement through a specific 17:56:25  evaluation process; however, the numeric 17:56:28  formula is problematic. For example, should 17:56:32  an occasion arise where an order is three 17:56:32  times over the historical average for that 17:56:35  customer in item, or in a situation where the 17:56:38  criteria, it would theoretically be filled 17:56:42  through normal processing without further 17:56:44  question. In doing so, in certain cases and 17:56:46  as noted in recent immediate suspensions of 17:56:50  other large-scale DEA registrants, which are 17:56:53  all a matter of public record, Mallinckrodt 17:56:56
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	then so after all the approvals, 17:53:43 it's housed there and it's considered 17:53:45 a formal policy. However, DEA 17:53:47 compliance did not use that system. 17:53:50 So indeed this controlled 17:53:52 substance compliance 3.0 was in draft 17:53:55 form for a while, and I do not know if 17:53:57 it was finalized, but we were 17:54:00 operating by it. 17:54:02 QUESTIONS BY MR. KO: 17:54:02 Q. Right. Okay. And that's 17:54:03 helpful. 17:54:05 So as you prepared drafts, 17:54:05 whatever operative draft that you were 17:54:10 that you would follow with respect to 17:54:15 Mallinckrodt's suspicious order monitoring 17:54:16 obligations, correct? 17:54:19 Q. Okay. Now, he Mr. Davis 17:54:33 his evaluation of Mallinckrodt's suspicious 17:54:39	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	statements he made, yes. 17:55:55  QUESTIONS BY MR. KO: 17:56:15  Q. Okay. He goes on to state that 17:56:15  "an order must not be processed and filled if 17:56:17 it is either suspicious or excessive." 17:56:21  Do you see that? 17:56:22  A. Yes. 17:56:23  Q. "The existing SOP excels to 17:56:23  meet this requirement through a specific evaluation process; however, the numeric 17:56:28 formula is problematic. For example, should 17:56:32 an occasion arise where an order is three 17:56:32 times over the historical average for that 17:56:35 customer in item, or in a situation where the 17:56:36 order meets but does not exceed the 3X 17:56:38 criteria, it would theoretically be filled 17:56:42 through normal processing without further 17:56:46 as noted in recent immediate suspensions of 17:56:50 other large-scale DEA registrants, which are 17:56:56 would be unnecessarily exposing itself to 17:56:58
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	then so after all the approvals, 17:53:43 it's housed there and it's considered 17:53:45 a formal policy. However, DEA 17:53:47 compliance did not use that system. 17:53:50 So indeed this controlled 17:53:52 substance compliance 3.0 was in draft 17:53:55 form for a while, and I do not know if 17:53:57 it was finalized, but we were 17:54:00 operating by it. 17:54:02 QUESTIONS BY MR. KO: 17:54:02 Q. Right. Okay. And that's 17:54:03 helpful. 17:54:05 So as you prepared drafts, 17:54:05 whatever operative draft that you were 17:54:10 that you would follow with respect to 17:54:15 Mallinckrodt's suspicious order monitoring 17:54:16 obligations, correct? 17:54:18 A. Correct. 17:54:19 Q. Okay. Now, he Mr. Davis 17:54:33 his evaluation of Mallinckrodt's suspicious 17:54:39 order monitoring program at the time. And in 17:54:44	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	statements he made, yes. 17:55:55  QUESTIONS BY MR. KO: 17:56:15  Q. Okay. He goes on to state that 17:56:15 "an order must not be processed and filled if 17:56:17 it is either suspicious or excessive." 17:56:21  Do you see that? 17:56:22  A. Yes. 17:56:23  Q. "The existing SOP excels to 17:56:23 meet this requirement through a specific evaluation process; however, the numeric 17:56:25 formula is problematic. For example, should 17:56:32 an occasion arise where an order is three 17:56:32 times over the historical average for that 17:56:35 customer in item, or in a situation where the 17:56:36 order meets but does not exceed the 3X 17:56:38 criteria, it would theoretically be filled 17:56:42 through normal processing without further 17:56:44 question. In doing so, in certain cases and 17:56:46 as noted in recent immediate suspensions of 17:56:50 other large-scale DEA registrants, which are 17:56:53 all a matter of public record, Mallinckrodt 17:56:56 would be unnecessarily exposing itself to 17:56:58 potential liability." 17:57:00
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	then so after all the approvals, 17:53:43 it's housed there and it's considered 17:53:45 a formal policy. However, DEA 17:53:47 compliance did not use that system. 17:53:50 So indeed this controlled 17:53:52 substance compliance 3.0 was in draft 17:53:55 form for a while, and I do not know if 17:53:57 it was finalized, but we were 17:54:00 operating by it. 17:54:02 QUESTIONS BY MR. KO: 17:54:02 Q. Right. Okay. And that's 17:54:03 helpful. 17:54:05 So as you prepared drafts, 17:54:05 whatever operative draft that you were 17:54:10 that you would follow with respect to 17:54:15 Mallinckrodt's suspicious order monitoring 17:54:16 obligations, correct? 17:54:19 Q. Okay. Now, he Mr. Davis 17:54:33 his evaluation of Mallinckrodt's suspicious 17:54:39	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	statements he made, yes. 17:55:55  QUESTIONS BY MR. KO: 17:56:15  Q. Okay. He goes on to state that 17:56:15  "an order must not be processed and filled if 17:56:17 it is either suspicious or excessive." 17:56:21  Do you see that? 17:56:22  A. Yes. 17:56:23  Q. "The existing SOP excels to 17:56:23  meet this requirement through a specific evaluation process; however, the numeric 17:56:28 formula is problematic. For example, should 17:56:32 an occasion arise where an order is three 17:56:32 times over the historical average for that 17:56:35 customer in item, or in a situation where the 17:56:36 order meets but does not exceed the 3X 17:56:38 criteria, it would theoretically be filled 17:56:42 through normal processing without further 17:56:46 as noted in recent immediate suspensions of 17:56:50 other large-scale DEA registrants, which are 17:56:56 would be unnecessarily exposing itself to 17:56:58

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	Page 438		Page 440
1	A. Yes. 17:57:02	1	QUESTIONS BY MR. KO: 17:58:58
2	Q. Okay. And the 3X criteria that 17:57:03	2	Q. I'm just simply asking whether 17:58:59
3	he's referring to here is the 3X metric that 17:57:05	3	or not you determined that there were 17:59:00
4	we had discussed before, correct? 17:57:09	4	instances, prior to 2000 November 2, 2010, 17:59:01
5	A. Yes. 17:57:10	5	in which you discovered that you were 17:59:07
6	Q. Okay. And is it accurate to 17:57:11	6	shipping suspicious orders based on a 17:59:09
7	say that as of November 2, 2010, he is 17:57:14	7	peculiar order algorithm that was in place at 17:59:14
8	expressing the view that reliance on a 17:57:17	8	that time. 17:59:17
9	numeric formula such as a 3X criteria could 17:57:20	9	MR. O'CONNOR: Same objection. 17:59:18
10	potentially expose Mallinckrodt to a 17:57:24	10	THE WITNESS: The algorithm 17:59:18
11	liability? Correct? 17:57:27	11	points to orders that need to be 17:59:20
12	A. Yes. 17:57:27	12	investigated further and does not 17:59:23
13	Q. And in fact, in an example we 17:57:28	13	necessarily conclude in and of itself 17:59:26
14	went over or an e-mail we went over 17:57:29	14	that the order is suspicious. 17:59:28
15	earlier today, we discussed the fact that 17:57:31	15	QUESTIONS BY MR. KO: 17:59:30
16	Mallinckrodt's 2X or 3X formula with respect 17:57:36	16	Q. Right. 17:59:31
17	to Harvard or Sunrise did not necessarily 17:57:40	17	And I I see where the 17:59:31
18	trigger a suspicious order, correct? 17:57:44	18	confusion is, because I'm putting a label on 17:59:32
19	Because those orders did not 17:57:48	19	a particular order, so let me try it this 17:59:34
20	were not triggered as a result of the 17:57:50	20	way. 17:59:36
21	peculiar order system in place, correct? 17:57:53	21	A. All right. 17:59:36
22	MR. O'CONNOR: Object to form. 17:57:54	22	Q. In the e-mail that you had 17:59:37
23	THE WITNESS: Correct. 17:57:54	23	drafted to Eileen Spaulding that we went over 17:59:42
24	QUESTIONS BY MR. KO: 17:57:55	24	earlier today in which you said that no 17:59:45
25	Q. Okay. And so it's safe to say 17:57:55	25	orders no peculiar orders had risen to the 17:59:50
	Page 439		Page 441
1	that prior to the date of this memorandum 17:57:59	1	level of suspicious, you also do you 17:59:53
2	there were, in fact, instances in which you 17:58:03	2	recall also referencing Harvard and Sunrise? 17:59:56
3	later discovered that you may have been 17:58:05	3	MR. O'CONNOR: Object to form. 17:59:58
4	shipping certain suspicious orders to 17:58:09	4	THE WITNESS: Yes. Yes. 17:59:59
5	distributors because you were utilizing this 17:58:12	5	QUESTIONS BY MR. KO: 17:59:59
6	peculiar order algorithm? 17:58:16	6	Q. And you specifically reference 18:00:00
7	MR. O'CONNOR: Object to form. 17:58:18	7	Harvard and Sunrise because you are saying 18:00:02
8	THE WITNESS: Can you restate 17:58:18	8	that those were instances in which the 18:00:05
9	that question, please? 17:58:24	9	peculiar order algorithm did not flag orders 18:00:09
10	QUESTIONS BY MR. KO: 17:58:25	10	to them that were potentially suspicious. 18:00:13
11	Q. Sure. Let me try 17:58:25	11	Is that accurate to say? 18:00:18
12	A. Okay. 17:58:27	12	A. Correct. 18:00:19
13	Q again. 17:58:27	13	Q. Okay. And so applied to this 18:00:20
14	Prior to November 2, 2010 17:58:29	14	memorandum, I am asking you to confirm that 18:00:26
15	A. All right. 17:58:33	15	prior to November 2, 2010, there were in fact 18:00:29
16	Q it's safe to say that there 17:58:34	16	instances in which you shipped potentially 18:00:36
17	were instances in which you later discovered 17:58:37	17	suspicious orders because you were utilizing 18:00:38
18	that you have you were shipping suspicious 17:58:41	18	a peculiar order algorithm that relied on the 18:00:41
19	orders to distributors because you were 17:58:45	19	numeric formula. 18:00:45
20	utilizing a 2X or 3X peculiar order 17:58:47	20	MR. O'CONNOR: Object to form. 18:00:47
21	algorithm? 17:58:51	21	THE WITNESS: We shipped orders 18:00:48
22	MR. O'CONNOR: Object to form. 17:58:52	22	that would have been further 18:00:53
23	THE WITNESS: So the question 17:58:52	23	investigated if the algorithm was 18:00:56
24	is, is that problematic? 17:58:55	24	different, but I can't conclude that 18:00:58
25		25	we shipped suspicious orders because 18:01:00
1		1	

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1	it's my belief that we have never 18:01:01	1	
2	shipped a suspicious order. 18:01:05	2	Q. Got it. Understood. 18:02:41
3	QUESTIONS BY MR. KO: 18:01:05	3	So from is it your testimony 18:02:43
4	Q. For what time period? 18:01:06	4	today that from 2008 to present, Mallinckrodt 18:02:48
5	A. Ever. 18:01:07	5	has not shipped a single suspicious order? 18:02:50
6	Q. Okay. So your testimony here 18:01:11	6	A. Yes. When we talk about 18:02:54
7	today is that you believe Mallinckrodt has 18:01:13	7	suspicious orders, direct orders to our 18:02:56
8	never shipped a suspicious order? 18:01:15	8	customers. 18:03:00
9	A. Yes. 18:01:16	9	Q. Okay. Let's take you can 18:03:00
10	Q. Okay. And that's 18:01:18	10	set that aside. 18:03:15
11	notwithstanding the settlement that 18:01:19	11	I hand you a copy of what will 18:03:19
12	Mallinckrodt had entered into with the DOJ 18:01:22	12	be marked as Harper Exhibit 33. 18:03:20
13	regarding its suspicious order monitoring 18:01:24	13	MR. KO: And for the record, 18:03:23
14	activities? 18:01:25	14	this is Bates ends in Bates 485740. 18:03:24
15	A. Correct. 18:01:26	15	(Mallinckrodt-Harper Exhibit 33 18:03:28
16	Q. Okay. And that's 18:01:31	16	marked for identification.) 18:03:29
17	notwithstanding the fact that the DOJ has 18:01:31	17	QUESTIONS BY MR. KO: 18:03:29
18	alleged, and Mallinckrodt has in fact 18:01:38	18	Q. Do you recognize that e-mail, 18:03:41
19	admitted in the DOJ agreement, that at 18:01:40	19	Ms. Harper? 18:03:44
20	certain points in time in 2008 through 2012 18:01:43	20	A. No, I don't, so I'm going to 18:03:45
21	Mallinckrodt did not have an adequate 18:01:46	21	read it, please 18:03:52
22	suspicious order monitoring system? 18:01:49	22	Q. Sure. 18:03:52
23	MR. O'CONNOR: Object to form. 18:01:49	23	A because yeah. Okay. 18:03:53
24	THE WITNESS: I I don't I 18:01:50	24	Q. In terms of the September 9, 18:04:40
25	don't recall the MOA language. 18:01:56	25	2010 e-mail that you drafted to James Parker, 18:04:47
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1	QUESTIONS BY MR. KO: 18:01:57	1	do you have any reason to doubt that you sent 18:04:51
2	Q. I guess what I'm trying to ask 18:01:57	2	that? 18:04:53
3	you is, I understand that well, let's take 18:01:59	3	A. No. 18:04:53
4	a step back. 18:02:03	4	Q. And who is James Parker? 18:04:53
5	I believe you testified earlier 18:02:04	5	A. He was a I don't know his 18:04:55
6	today that at least prior to 2008 there were 18:02:05	6	title, unless it's on here. He was in our 18:05:01
7	at least ten instances, somewhere between one 18:02:09	7	operational excellence program. 18:05:03
8	and ten instances, in which suspicious orders 18:02:14	8	Q. Okay. Was he in senior 18:05:07
9	were reported to the DEA. 18:02:17	9	management? 18:05:09
10	Was that correct? 18:02:18	10	A. No. 18:05:10
11	MR. O'CONNOR: Object to form. 18:02:19	11	Q. Okay. And there's a reference 18:05:13
12	THE WITNESS: Yes. 18:02:19	12	to Tom Berry as well, and that was at one 18:05:14
13	QUESTIONS BY MR. KO: 18:02:21	13	point your direct report, as you indicated 18:05:20
14	Q. So at least there were 18:02:22	14	previously, correct? 18:05:21
15	somewhere north of one but south of ten 18:02:23	15	A. Yes, I reported to Tom. 18:05:22
16	suspicious orders reported to the DEA? 18:02:25	16	Q. Okay. And you indicate in this 18:05:24
17	A. Yes. 18:02:26	17	e-mail the title of the e-mail is "DEA 18:05:30
18	Q. So that's more than the "none" 18:02:27	18	mandated a suspicious order monitoring 18:05:34
19	you just indicated to me; is that not 18:02:30	19	program"; is that correct? 18:05:35
20	accurate? 18:02:32	20	A. Yes. 18:05:35
21	A. You asked if we had shipped a 18:02:32	21	Q. Okay. And you indicate, among 18:05:36
	11. Tou asked it we had shipped a 10.02.02		
22	suspicious order. 18:02:34	22	other well, you say, "Jim, I am working on 18:05:41
		22	other well, you say, "Jim, I am working on 18:05:41 obtaining the number relating to potential 18:05:45
22	suspicious order. 18:02:34		
22	suspicious order. 18:02:34  Q. I see. 18:02:35	23	obtaining the number relating to potential 18:05:45

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1	regulatory noncompliance. I will work on the 18:05:54	1	So we approached Jim Parker to 18:07:41
2	chart and will have all of the above ready by 18:05:56	2	ask him if he would lend his operational 18:07:44
3	this weekend." 18:05:58	3	expertise to the suspicious order monitoring 18:07:47
4	Did I read that correctly? 18:05:59	4	program. And in order to do that, these 18:07:48
5	A. Yes. 18:05:59	5	folks had to be chartered. So part of the 18:07:52
6	Q. And then there's a portion 18:06:00	6	charter statement was, what's the potential 18:07:54
7	that's redacted, and then you go on to state, 18:06:02	7	financial impact if we do not do perform 18:07:59
8	"I don't ever want to be perceived as a 18:06:04	8	this project. 18:08:02
9	person who cried wolf by asking for a 18:06:07	9	So that's why I'm referring to 18:08:03
10	presentation to the larger group and welcome 18:06:09	10	this potential lost business and actual fines 18:08:05
11	your feedback." 18:06:11	11	which may be composed imposed for 18:08:09
12	A. Okay. 18:06:13	12	regulatory noncompliance. 18:08:12
13	Q. Did I read that correctly? 18:06:14	13	Q. And regulatory noncompliance 18:08:13
14	A. Yes. 18:06:14	14	with the CSA, correct? 18:08:15
15	Q. Okay. And again, the subject 18:06:15	15	A. Yes. 18:08:17
16	of this e-mail is the SOM program. 18:06:16	16	Q. Okay. And potential lost 18:08:17
17	Is it accurate to say that you 18:06:19	17	business, are you referring to the potential 18:08:19
18	are at this point asking Jim, or James, for a 18:06:24	18	lost business from continuing to do business 18:08:21
19	presentation to a larger group about 18:06:29	19	with your distributors to distribute 18:08:24
20	Mallinckrodt's SOM program? 18:06:31	20	prescription opioids? 18:08:26
21	A. It appears that way. I 18:06:32	21	MR. O'CONNOR: Objection to 18:08:27
22	don't I do not remember these comments at 18:06:34	22	form. 18:08:29
23	all about the presentation 18:06:36	23	THE WITNESS: Yes. 18:08:29
24	Q. Sure. 18:06:37	24	QUESTIONS BY MR. KO: 18:08:33
25	A but I've refamiliarized 18:06:37	25	Q. Okay. And so in effect, you're 18:08:33
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1	myself with the rest of the e-mail. 18:06:39	1	doing you're asking or you are being 18:08:36
2	Q. Okay. And I'll ask you a few 18:06:41	2	asked to do some sort of burden/benefit 18:08:39
3	questions about the previous e-mails. 18:06:44	3	analysis with respect to a more enhanced SOM 18:08:42
4	A. Certainly. 18:06:48	4	program relative to the value of the business 18:08:46
5	Q. But do you recall what you are 18:06:48	5	that Mallinckrodt has in distributing 18:08:51
6	referring to by the "presentation to the 18:06:53	6	prescription opioids to its distributors. 18:08:53
7	larger group"? 18:06:55	7	Is that accurate to say? 18:08:55
8	A. I don't. 18:06:55	8	MR. O'CONNOR: Objection to 18:08:56
9	Q. Okay. 18:06:57	9	form. 18:08:57
10	A. I don't. 18:06:57	10	THE WITNESS: In order to 18:08:57
11	Q. And when you are suggesting 18:06:58	11	complete this charter document and get 18:08:58
12	at the beginning of this e-mail when you are 18:07:01	12	the resources from the operational 18:08:59
13	saying you are working on the number relating 18:07:03	13	excellence group. 18:09:00
14	to potential lost business, are you referring 18:07:05	14	QUESTIONS BY MR. KO: 18:09:01
15	to the potential lost business of 18:07:08	15	Q. Okay. That's all the questions 18:09:01
16	Mallinckrodt well, strike that. 18:07:14	16	I have on that. 18:09:04
17	What are you referring to when 18:07:16	17	Unfortunately, I just only have 18:09:06
18	you're referring to the potential lost 18:07:19	18	one copy of this, so you will be the lucky 18:09:10
19	business? 18:07:21	19	one to get it. But this is a copy of the 18:09:12
20	A. We approached Jim Parker 18:07:21	20	settlement agreement, the memorandum of 18:09:18
21	because he was operational excellence. So 18:07:23	21	understanding between Mallinckrodt and the 18:09:23
	-		
22	there is initiative in business Six Sigma. 18:07:26  It's a whole process of reviewing a program, 18:07:29	22	DOJ, and it's previously been marked as 18:09:24 Ratliff Exhibit 41. 18:09:26
		143	Katili Exilion 41. 16.09.20
121		24	Does this document look 19.00.29
24	fishbone charts, a lot of data gathering 18:07:34	24	Does this document look 18:09:28
24		24 25	Does this document look 18:09:28 familiar to you? 18:09:29

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1	A. Yes. 18:09:29	1	talking about a covered time period, 18:11:42
2	Q. And I'd ask that you turn to 18:09:29	2	January 1, 2012, until oh, prior to 18:11:44
3	the 18:09:34	3	January 1, 2012, unin — on, prior to — 10:11:44  January 1, 2012, yes. — 18:11:55
4	MR. KO: Sorry, Andrew, but I 18:09:35	4	Q. Okay. So the covered time 18:11:56
5	know that you are probably very 18:09:37	5	period and I believe there's 18:12:00
6	familiar with this, so 18:09:39	6	A. I'm sorry. 18:12:02
7	MR. O'CONNOR: I'll look over 18:09:40	7	Q. No, it's okay. It's not your 18:12:03
8	her shoulder. 18:09:42	8	fault. I should have more more copies. 18:12:05
9	THE WITNESS: Do you want to 18:09:42	9	So there is a definition of the 18:12:10
10	know the page number? 18:09:42	10	covered time period in this agreement. 18:12:13
11	QUESTIONS BY MR. KO: 18:09:42	11	A. All right. 18:12:15
12	Q. I just want to ask you to turn 18:09:43	12	Q. And you can take a look at the 18:12:16
13	to Section 4 18:09:44	13	document, but I believe if my memory serves 18:12:19
14	A. All right. 18:09:44	14	me correct, that the covered time period 18:12:23
15	Q of the agreement entitled 18:09:45	15	begins from January 1, 2008, through the date 18:12:25
16	"Admission of Responsibility." 18:09:47	16	of the signing of that agreement. 18:12:29
17	A. Is that acceptance of 18:09:49	17	A. So that's part of the 18:12:34
18	responsibility? 18:09:51	18	background. 18:12:35
19	Q. Sorry, acceptance of 18:09:52	19	Q. Right. 18:12:36
20	responsibility. Thank you. 18:09:53	20	A. Right. It's part of the 18:12:39
21	A. All right. 18:09:55	21	background. 18:12:40
22	Q. Do you see that section? 18:09:55	22	Q. And so I just want to make sure 18:12:41
23	A. Yes. 18:09:57	23	the record is clear. 18:12:42
24	Q. And I know that earlier we had 18:09:57	24	So for purposes of the 18:12:43
25	been discussing some specific language, and 18:10:20	25	Section 4 that we were looking at we were 18:12:45
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		1	
1	certainly didn't expect you to remember 18:10:24	1	just looking at the admission of 18:12:46
2	specifically what was included. But in that 18:10:25	2	responsibility? 18:12:48
2 3	specifically what was included. But in that 18:10:25 section, there is reference made that during 18:10:29	2	responsibility? 18:12:48 A. Yes. 18:12:48
2 3 4	specifically what was included. But in that 18:10:25 section, there is reference made that during 18:10:29 the covered time period certain aspects of 18:10:33	2 3 4	responsibility? 18:12:48  A. Yes. 18:12:48  Q there is reference made to 18:12:48
2 3 4 5	specifically what was included. But in that 18:10:25 section, there is reference made that during 18:10:29 the covered time period certain aspects of 18:10:33 Mallinckrodt's systems to monitor and detect 18:10:36	2 3 4 5	responsibility? 18:12:48  A. Yes. 18:12:48  Q there is reference made to 18:12:48 the covered from the covered time period 18:12:50
2 3 4 5 6	specifically what was included. But in that 18:10:25 section, there is reference made that during 18:10:29 the covered time period certain aspects of 18:10:33 Mallinckrodt's systems to monitor and detect 18:10:36 suspicious orders did not meet the standards 18:10:39	2 3 4 5 6	responsibility? 18:12:48  A. Yes. 18:12:48  Q there is reference made to 18:12:48 the covered from the covered time period 18:12:50 to January 1, 2012, correct? 18:12:53
2 3 4 5 6 7	specifically what was included. But in that 18:10:25 section, there is reference made that during 18:10:29 the covered time period certain aspects of 18:10:33 Mallinckrodt's systems to monitor and detect 18:10:36 suspicious orders did not meet the standards 18:10:39 outlined in the DEA letters provided to you 18:10:41	2 3 4 5 6 7	responsibility? 18:12:48  A. Yes. 18:12:48  Q there is reference made to 18:12:48 the covered from the covered time period 18:12:50 to January 1, 2012, correct? 18:12:53  A. Yes. 18:12:56
2 3 4 5 6 7 8	specifically what was included. But in that 18:10:25 section, there is reference made that during 18:10:29 the covered time period certain aspects of 18:10:33 Mallinckrodt's systems to monitor and detect 18:10:36 suspicious orders did not meet the standards 18:10:39 outlined in the DEA letters provided to you 18:10:41 in 2006 and 2007. Is that accurate? 18:10:43	2 3 4 5 6 7 8	responsibility? 18:12:48  A. Yes. 18:12:48  Q there is reference made to 18:12:48 the covered from the covered time period 18:12:50 to January 1, 2012, correct? 18:12:53  A. Yes. 18:12:56 Q. And so the covered time period 18:12:58
2 3 4 5 6 7 8	specifically what was included. But in that 18:10:25 section, there is reference made that during 18:10:29 the covered time period certain aspects of 18:10:33 Mallinckrodt's systems to monitor and detect 18:10:36 suspicious orders did not meet the standards 18:10:39 outlined in the DEA letters provided to you 18:10:41 in 2006 and 2007. Is that accurate? 18:10:43 A. Yes. 18:10:47	2 3 4 5 6 7 8	responsibility? 18:12:48  A. Yes. 18:12:48  Q there is reference made to 18:12:48 the covered from the covered time period 18:12:50 to January 1, 2012, correct? 18:12:53  A. Yes. 18:12:56  Q. And so the covered time period 18:12:58 begins on January 1, 2008, correct? 18:12:59
2 3 4 5 6 7 8 9	specifically what was included. But in that 18:10:25 section, there is reference made that during 18:10:29 the covered time period certain aspects of 18:10:33 Mallinckrodt's systems to monitor and detect 18:10:36 suspicious orders did not meet the standards 18:10:39 outlined in the DEA letters provided to you 18:10:41 in 2006 and 2007. Is that accurate? 18:10:43 A. Yes. 18:10:47 Q. Okay. And do you sitting 18:10:52	2 3 4 5 6 7 8 9	responsibility? 18:12:48  A. Yes. 18:12:48  Q there is reference made to 18:12:48 the covered from the covered time period 18:12:50 to January 1, 2012, correct? 18:12:53  A. Yes. 18:12:56 Q. And so the covered time period 18:12:58 begins on January 1, 2008, correct? 18:12:59 A. Yes. 18:13:02
2 3 4 5 6 7 8 9 10	specifically what was included. But in that 18:10:25 section, there is reference made that during 18:10:29 the covered time period certain aspects of 18:10:33 Mallinckrodt's systems to monitor and detect 18:10:36 suspicious orders did not meet the standards 18:10:39 outlined in the DEA letters provided to you 18:10:41 in 2006 and 2007. Is that accurate? 18:10:43  A. Yes. 18:10:47  Q. Okay. And do you sitting 18:10:52 here today, do you agree with that admission? 18:10:55	2 3 4 5 6 7 8 9 10	responsibility? 18:12:48  A. Yes. 18:12:48  Q there is reference made to 18:12:48 the covered from the covered time period 18:12:50 to January 1, 2012, correct? 18:12:53  A. Yes. 18:12:56  Q. And so the covered time period 18:12:58 begins on January 1, 2008, correct? 18:12:59  A. Yes. 18:13:02  Q. Okay. So 18:13:04
2 3 4 5 6 7 8 9 10 11	specifically what was included. But in that 18:10:25 section, there is reference made that during 18:10:29 the covered time period certain aspects of 18:10:33 Mallinckrodt's systems to monitor and detect 18:10:36 suspicious orders did not meet the standards 18:10:39 outlined in the DEA letters provided to you 18:10:41 in 2006 and 2007. Is that accurate? 18:10:43  A. Yes. 18:10:47  Q. Okay. And do you sitting 18:10:52 here today, do you agree with that admission? 18:10:55  A. We admitted no wrongdoing, but, 18:10:57	2 3 4 5 6 7 8 9 10 11	responsibility? 18:12:48  A. Yes. 18:12:48  Q there is reference made to 18:12:48 the covered from the covered time period 18:12:50 to January 1, 2012, correct? 18:12:53  A. Yes. 18:12:56  Q. And so the covered time period 18:12:58 begins on January 1, 2008, correct? 18:12:59  A. Yes. 18:13:02 Q. Okay. So 18:13:04 A. Sorry. 18:13:07
2 3 4 5 6 7 8 9 10 11 12 13	specifically what was included. But in that 18:10:25 section, there is reference made that during 18:10:29 the covered time period certain aspects of 18:10:33 Mallinckrodt's systems to monitor and detect 18:10:36 suspicious orders did not meet the standards 18:10:39 outlined in the DEA letters provided to you 18:10:41 in 2006 and 2007. Is that accurate? 18:10:43 A. Yes. 18:10:47 Q. Okay. And do you sitting 18:10:52 here today, do you agree with that admission? 18:10:55 A. We admitted no wrongdoing, but, 18:10:57 yes, I agree with the MOA the statement in 18:11:02	2 3 4 5 6 7 8 9 10 11 12 13	responsibility? 18:12:48  A. Yes. 18:12:48  Q there is reference made to 18:12:48 the covered from the covered time period 18:12:50 to January 1, 2012, correct? 18:12:53  A. Yes. 18:12:56  Q. And so the covered time period 18:12:58 begins on January 1, 2008, correct? 18:12:59  A. Yes. 18:13:02  Q. Okay. So 18:13:04  A. Sorry. 18:13:07  Q. A lot of flipping back and 18:13:08
2 3 4 5 6 7 8 9 10 11 12 13 14	specifically what was included. But in that 18:10:25 section, there is reference made that during 18:10:29 the covered time period certain aspects of 18:10:33 Mallinckrodt's systems to monitor and detect 18:10:36 suspicious orders did not meet the standards 18:10:39 outlined in the DEA letters provided to you 18:10:41 in 2006 and 2007. Is that accurate? 18:10:43 A. Yes. 18:10:47 Q. Okay. And do you sitting 18:10:52 here today, do you agree with that admission? 18:10:57 yes, I agree with the MOA the statement in 18:11:02 the MOA. 18:11:06	2 3 4 5 6 7 8 9 10 11 12 13	responsibility?  A. Yes.  18:12:48  Q there is reference made to 18:12:48 the covered from the covered time period 18:12:50 to January 1, 2012, correct?  18:12:53  A. Yes.  18:12:56  Q. And so the covered time period 18:12:58 begins on January 1, 2008, correct?  18:13:02  Q. Okay. So  18:13:04  A. Sorry.  18:13:07  Q. A lot of flipping back and 18:13:08 forth.  18:13:11
2 3 4 5 6 7 8 9 10 11 12 13 14 15	specifically what was included. But in that 18:10:25 section, there is reference made that during 18:10:29 the covered time period certain aspects of 18:10:33 Mallinckrodt's systems to monitor and detect 18:10:36 suspicious orders did not meet the standards 18:10:39 outlined in the DEA letters provided to you 18:10:41 in 2006 and 2007. Is that accurate? 18:10:43 A. Yes. 18:10:47 Q. Okay. And do you sitting 18:10:52 here today, do you agree with that admission? 18:10:55 A. We admitted no wrongdoing, but, 18:10:57 yes, I agree with the MOA the statement in 18:11:02 the MOA. 18:11:06 Q. Okay. And the covered time 18:11:07	2 3 4 5 6 7 8 9 10 11 12 13 14	responsibility? 18:12:48  A. Yes. 18:12:48  Q there is reference made to 18:12:48 the covered from the covered time period 18:12:50 to January 1, 2012, correct? 18:12:53  A. Yes. 18:12:56  Q. And so the covered time period 18:12:58 begins on January 1, 2008, correct? 18:12:59  A. Yes. 18:13:02  Q. Okay. So 18:13:04  A. Sorry. 18:13:07  Q. A lot of flipping back and 18:13:08 forth. 18:13:11  But just so the record is 18:13:11
2 3 4 5 6 7 8 9 10 11 12 13 14 15	specifically what was included. But in that 18:10:25 section, there is reference made that during 18:10:29 the covered time period certain aspects of 18:10:33 Mallinckrodt's systems to monitor and detect 18:10:36 suspicious orders did not meet the standards 18:10:39 outlined in the DEA letters provided to you 18:10:41 in 2006 and 2007. Is that accurate? 18:10:43 A. Yes. 18:10:47 Q. Okay. And do you sitting 18:10:52 here today, do you agree with that admission? 18:10:55 A. We admitted no wrongdoing, but, 18:10:57 yes, I agree with the MOA the statement in 18:11:02 the MOA. 18:11:06 Q. Okay. And the covered time 18:11:07 period, by the way, just so the record is 18:11:09	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	responsibility? 18:12:48  A. Yes. 18:12:48  Q there is reference made to 18:12:48 the covered from the covered time period 18:12:50 to January 1, 2012, correct? 18:12:53  A. Yes. 18:12:56  Q. And so the covered time period 18:12:58 begins on January 1, 2008, correct? 18:12:59  A. Yes. 18:13:02  Q. Okay. So 18:13:04  A. Sorry. 18:13:07  Q. A lot of flipping back and 18:13:08 forth. 18:13:11  But just so the record is 18:13:11 clear, the admission of responsibility is 18:13:13
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	specifically what was included. But in that 18:10:25 section, there is reference made that during 18:10:29 the covered time period certain aspects of 18:10:33 Mallinckrodt's systems to monitor and detect 18:10:36 suspicious orders did not meet the standards 18:10:39 outlined in the DEA letters provided to you 18:10:41 in 2006 and 2007. Is that accurate? 18:10:43 A. Yes. 18:10:47 Q. Okay. And do you sitting 18:10:52 here today, do you agree with that admission? 18:10:55 A. We admitted no wrongdoing, but, 18:10:57 yes, I agree with the MOA the statement in 18:11:02 the MOA. 18:11:06 Q. Okay. And the covered time 18:11:07 period, by the way, just so the record is 18:11:09 clear and you can take a look at the 18:11:10 document if you'd like. But the covered time 18:11:15 January 1, 2008, through January 1, 2012, 18:11:16 correct? 18:11:19 A. So that's covered conduct, but 18:11:20	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	responsibility?  A. Yes.  18:12:48  Q there is reference made to 18:12:48 the covered from the covered time period 18:12:50 to January 1, 2012, correct?  18:12:53  A. Yes.  18:12:56 Q. And so the covered time period 18:12:58 begins on January 1, 2008, correct?  18:12:59  A. Yes.  18:13:02 Q. Okay. So  18:13:04 A. Sorry.  18:13:07 Q. A lot of flipping back and 18:13:08 forth.  18:13:11  But just so the record is 18:13:11 clear, the admission of responsibility is 18:13:13 that Mallinckrodt agrees that at certain 18:13:15 times from between January 1, 2008, through 18:13:18 January 1, 2012, certain aspects of 18:13:22 Mallinckrodt's system to monitor and detect 18:13:28 set forth in the DEA guidance letters, 18:13:30
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1	QUESTIONS BY MR. KO: 18:13:35	1	times? 18:27:43
2	Q. Okay. And you would agree with 18:13:35	2	A. I don't recall the dates. 18:27:43
3	that statement, correct? 18:13:36	3	Q. Do you recall roughly what 18:27:44
4	MR. O'CONNOR: Object same 18:13:37	4	years? 18:27:46
5	objection. 18:13:40	5	A. So I was at FedEx, but I don't 18:27:48
6	THE WITNESS: Yes. 18:13:40	6	know I truly don't know the date. 18:27:50
7	MR. O'CONNOR: Counsel, I think 18:13:41	7	Q. Okay. 18:27:54
8	we're at time. 18:13:42	8	A. And I was at a small 18:27:54
9	MR. KO: Well, perfect, because 18:13:43	9	distributor, and I cannot remember the name 18:27:56
10	I think that was my last question. 18:13:45	10	or the date. 18:27:59
11	VIDEOGRAPHER: Go off the 18:13:50	11	Q. Okay. And when you were at 18:28:00
12	record? 18:13:52	12	FedEx, what was the purpose of that? 18:28:03
13	MR. KO: Yes. 18:13:52	13	A. To watch their nighttime in and 18:28:04
14	VIDEOGRAPHER: We're going off 18:13:53	14	out shift operation. 18:28:08
15	the record at 6:13 p.m. 18:13:53	15	Q. Okay. And did you find 18:28:08
16	(Off the record at 6:13 p.m.) 18:13:56	16	anything deficient in observing that? 18:28:11
17	VIDEOGRAPHER: We are back on 18:26:44	17	A. No. 18:28:14
18	the record at 6:26 p.m. 18:26:52	18	Q. And the small distributor that 18:28:14
19	DIRECT EXAMINATION 18:26:54	19	you observed, that was during your time at 18:28:16
20	QUESTIONS BY MS. HERZFELD: 18:26:54	20	Mallinckrodt? 18:28:17
21	Q. Okay. Ms. Harper, we're back 18:26:55	21	A. Yes. 18:28:18
22	after a break. My name is Tricia Herzfeld, 18:26:57	22	Q. Okay. And do you recall who 18:28:18
23	and I'm an attorney representing the 18:27:00	23	else was at that meeting? 18:28:19
24	Tennessee plaintiffs. 18:27:02	24	A. Bill Ratliff. 18:28:20
25	Do you know anything about the 18:27:02	25	Q. Okay. And it was a 18:28:21
	Page 455		Page 457
1	Tennessee litigation? 18:27:05	1	distributor, not a pharmacy? 18:28:25
2	A. Not specifically, no. 18:27:06	2	A. Yes. 18:28:26
3	Q. Okay. 18:27:07	3	Q. Okay. And do you recall 18:28:27
4	MS. HERZFELD: Before we get 18:27:08	4	finding anything deficient with the 18:28:28
5	started, I just want to lodge the 18:27:08	5	operations of that distributor? 18:28:30
6			
	standard objections we've lodged in 18:27:10	6	A. No. 18:28:31
7	all of our Mallinckrodt depositions 18:27:12	7	Q. Okay. And would there be 18:28:32
7 8	all of our Mallinckrodt depositions 18:27:12 about the lack of timely document 18:27:14		Q. Okay. And would there be 18:28:32 documentation someplace of that trip that you 18:28:33
	all of our Mallinckrodt depositions 18:27:12 about the lack of timely document 18:27:14 production and the unnecessary 18:27:17	7	Q. Okay. And would there be 18:28:32 documentation someplace of that trip that you 18:28:33 took with Mr. Ratliff? 18:28:36
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8 9 10 11 12 13 14 15	all of our Mallinckrodt depositions about the lack of timely document 18:27:14 production and the unnecessary 18:27:17 narrowing of the time limitation for 18:27:19 questioning the witness. 18:27:22 MR. O'CONNOR: And I'll lodge 18:27:23 our usual objection to the objection. 18:27:25 MS. HERZFELD: Wonderful. 18:27:27 Okay. Moving on. 18:27:30 QUESTIONS BY MS. HERZFELD: 18:27:33	7 8 9 10 11 12 13 14 15	Q. Okay. And would there be 18:28:32 documentation someplace of that trip that you 18:28:33 took with Mr. Ratliff? 18:28:36 A. Yes, at least a meeting notice. 18:28:37 I'm not certain, yes. 18:28:43 Q. Okay. And do you know perhaps 18:28:45 if it was after the year 2005? 18:28:47 A. Yes. 18:28:50 Q. Okay. Do you think maybe it 18:28:52 was more recently than 2010? 18:28:53 A. Yes. 18:28:55 Q. Okay. So sometime between 2010 18:28:59
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8 9 10 11 12 13 14 15 16 17	all of our Mallinckrodt depositions about the lack of timely document 18:27:14 production and the unnecessary 18:27:17 narrowing of the time limitation for 18:27:19 questioning the witness. 18:27:22 MR. O'CONNOR: And I'll lodge 18:27:23 our usual objection to the objection. 18:27:25 MS. HERZFELD: Wonderful. 18:27:27 Okay. Moving on. 18:27:30 QUESTIONS BY MS. HERZFELD: 18:27:33 Q. Okay. Ms. Harper, have you 18:27:33 ever been to Tennessee? 18:27:36	7 8 9 10 11 12 13 14 15 16 17	Q. Okay. And would there be 18:28:32 documentation someplace of that trip that you 18:28:33 took with Mr. Ratliff? 18:28:36 A. Yes, at least a meeting notice. 18:28:37 I'm not certain, yes. 18:28:43 Q. Okay. And do you know perhaps 18:28:45 if it was after the year 2005? 18:28:47 A. Yes. 18:28:50 Q. Okay. Do you think maybe it 18:28:52 was more recently than 2010? 18:28:53 A. Yes. 18:28:55 Q. Okay. So sometime between 2010 18:28:59
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8 9 10 11 12 13 14 15 16 17 18 19 20	all of our Mallinckrodt depositions about the lack of timely document 18:27:14 production and the unnecessary 18:27:17 narrowing of the time limitation for 18:27:19 questioning the witness. 18:27:22 MR. O'CONNOR: And I'll lodge 18:27:23 our usual objection to the objection. 18:27:25 MS. HERZFELD: Wonderful. 18:27:27 Okay. Moving on. 18:27:30 QUESTIONS BY MS. HERZFELD: 18:27:33 Q. Okay. Ms. Harper, have you 18:27:33 ever been to Tennessee? 18:27:37 Q. Okay. And have you been for 18:27:37 business? 18:27:41 A. Yes. 18:27:41	7 8 9 10 11 12 13 14 15 16 17 18 19	Q. Okay. And would there be 18:28:32 documentation someplace of that trip that you 18:28:33 took with Mr. Ratliff? 18:28:36 A. Yes, at least a meeting notice. 18:28:37 I'm not certain, yes. 18:28:43 Q. Okay. And do you know perhaps 18:28:45 if it was after the year 2005? 18:28:47 A. Yes. 18:28:50 Q. Okay. Do you think maybe it 18:28:52 was more recently than 2010? 18:28:53 A. Yes. 18:28:55 Q. Okay. So sometime between 2010 18:28:59 and do you think it was in the last three 18:29:01 or four years? 18:29:03
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	Page 458		Page 460
1	And those are the only two 18:29:14	1	understand Tennessee to be one of those 18:30:45
2	times you've been to Tennessee for business; 18:29:16	2	states where pills were going from Florida to 18:30:46
3	is that correct? 18:29:18	3	Tennessee? 18:30:49
4	A. Yes. 18:29:18	4	A. Yes. 18:30:50
5	Q. Okay. Have you been for 18:29:18	5	Q. Okay. And did you understand 18:30:50
6	pleasure? 18:29:19	6	that when those pills were going from Florida 18:30:54
7	A. No. 18:29:20	7	to Tennessee, that they were ending up in the 18:30:56
8	Q. Okay. Do you have any family 18:29:21	8	illegal drug market in Tennessee? 18:30:58
9	or relatives in Tennessee? 18:29:23	9	MR. O'CONNOR: Object to form. 18:31:01
10	A. No. 18:29:25	10	THE WITNESS: Yes. 18:31:01
11	Q. Okay. 18:29:25	11	QUESTIONS BY MS. HERZFELD: 18:31:03
12	A. I stopped over in Tennessee 18:29:25	12	Q. Okay. And you said before that 18:31:03
13	Q. Okay. 18:29:27	13	you'd heard of the Oxy Express. 18:31:06
14	A once, so, sorry. 18:29:28	14	Do you know if that could have 18:31:09
15	Q. That's okay. 18:29:30	15	been highway I-75 that goes from Florida to 18:31:11
16	Were you driving somewhere? 18:29:30	16	Ohio? 18:31:13
17	A. I was coming back from Gulf 18:29:31	17	A. I'm sorry, I don't remember the 18:31:14
18	Shores, and I stopped in Memphis to take a 18:29:33	18	highway number. 18:31:16
19	rest, yes. 18:29:36	19	Q. Okay. That's okay. 18:31:16
20	Q. Okay. And when you say you 18:29:37	20	The highway that is the Oxy 18:31:17
21	were coming from Gulf Shores, you meant from 18:29:38	21	Express, do you know if it goes through 18:31:21
22	Gulf Shores back here to St. Louis? 18:29:41	22	Tennessee? 18:31:23
23	A. Yes. 18:29:42	23	A. Yes, it does. 18:31:24
24	Q. Okay. Did you get to see 18:29:42	24	Q. Okay. Okay. And have you ever 18:31:26
25	anything when you were in Memphis? 18:29:44	25	had any communication with any law 18:31:35
	Page 459		Page 461
1		1	_
1 2	A. No. 18:29:45	1 2	enforcement in Tennessee? 18:31:36
2	A. No. 18:29:45  Q. Okay. And do you have any 18:29:47	2	enforcement in Tennessee? 18:31:36 A. Yes. 18:31:37
2 3	A. No. 18:29:45 Q. Okay. And do you have any 18:29:47 friends that live in Tennessee? 18:29:48	2 3	enforcement in Tennessee? 18:31:36  A. Yes. 18:31:37  Q. Okay. And can you tell me 18:31:38
2 3 4	A. No. 18:29:45 Q. Okay. And do you have any 18:29:47 friends that live in Tennessee? 18:29:48 A. No. 18:29:49	2 3 4	enforcement in Tennessee? 18:31:36  A. Yes. 18:31:37  Q. Okay. And can you tell me 18:31:38 roughly how many times? 18:31:40
2 3 4 5	A. No. 18:29:45 Q. Okay. And do you have any 18:29:47 friends that live in Tennessee? 18:29:48 A. No. 18:29:49 Q. Okay. And you said earlier 18:29:51	2 3 4 5	enforcement in Tennessee? 18:31:36  A. Yes. 18:31:37  Q. Okay. And can you tell me 18:31:38 roughly how many times? 18:31:40  A. Me, once. 18:31:41
2 3 4 5 6	A. No. 18:29:45 Q. Okay. And do you have any 18:29:47 friends that live in Tennessee? 18:29:48 A. No. 18:29:49 Q. Okay. And you said earlier 18:29:51 that you were aware of the opioid epidemic in 18:29:53	2 3 4 5 6	enforcement in Tennessee? 18:31:36  A. Yes. 18:31:37  Q. Okay. And can you tell me 18:31:38  roughly how many times? 18:31:40  A. Me, once. 18:31:41  Q. Okay. And what was the time? 18:31:46
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2 3 4 5 6 7 8	A. No. 18:29:45 Q. Okay. And do you have any 18:29:47 friends that live in Tennessee? 18:29:48 A. No. 18:29:49 Q. Okay. And you said earlier 18:29:51 that you were aware of the opioid epidemic in 18:29:53 this country. 18:29:56 Do you recall that testimony? 18:29:56	2 3 4 5 6 7 8	enforcement in Tennessee? 18:31:36  A. Yes. 18:31:37  Q. Okay. And can you tell me 18:31:38 roughly how many times? 18:31:40  A. Me, once. 18:31:41  Q. Okay. And what was the time? 18:31:46  A. I'm not I don't want I 18:31:49 don't want to swear to the year or attest to 18:31:55
2 3 4 5 6 7 8	A. No. 18:29:45 Q. Okay. And do you have any 18:29:47 friends that live in Tennessee? 18:29:48 A. No. 18:29:49 Q. Okay. And you said earlier 18:29:51 that you were aware of the opioid epidemic in 18:29:53 this country. 18:29:56 Do you recall that testimony? 18:29:56 A. Yes. 18:29:57	2 3 4 5 6 7 8	enforcement in Tennessee? 18:31:36  A. Yes. 18:31:37  Q. Okay. And can you tell me 18:31:38 roughly how many times? 18:31:40  A. Me, once. 18:31:41  Q. Okay. And what was the time? 18:31:46  A. I'm not I don't want I 18:31:49 don't want to swear to the year or attest to 18:31:55 the year. I believe it was 2008. 18:31:58
2 3 4 5 6 7 8 9	A. No. 18:29:45 Q. Okay. And do you have any 18:29:47 friends that live in Tennessee? 18:29:48 A. No. 18:29:49 Q. Okay. And you said earlier 18:29:51 that you were aware of the opioid epidemic in 18:29:53 this country. 18:29:56 Do you recall that testimony? 18:29:56 A. Yes. 18:29:57 Q. Okay. And are you aware of any 18:29:58	2 3 4 5 6 7 8 9	enforcement in Tennessee? 18:31:36  A. Yes. 18:31:37  Q. Okay. And can you tell me 18:31:38 roughly how many times? 18:31:40  A. Me, once. 18:31:41  Q. Okay. And what was the time? 18:31:46  A. I'm not I don't want I 18:31:49 don't want to swear to the year or attest to 18:31:55 the year. I believe it was 2008. 18:31:58  Q. Okay. And do you recall who it 18:32:00
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2 3 4 5 6 7 8 9 10 11	A. No. 18:29:45 Q. Okay. And do you have any 18:29:47 friends that live in Tennessee? 18:29:48 A. No. 18:29:49 Q. Okay. And you said earlier 18:29:51 that you were aware of the opioid epidemic in 18:29:53 this country. 18:29:56 Do you recall that testimony? 18:29:56 A. Yes. 18:29:57 Q. Okay. And are you aware of any 18:29:58 particular regions of the country where the 18:30:00 opioid epidemic seems to have hit harder than 18:30:02	2 3 4 5 6 7 8 9 10 11	enforcement in Tennessee? 18:31:36  A. Yes. 18:31:37  Q. Okay. And can you tell me 18:31:38 roughly how many times? 18:31:40  A. Me, once. 18:31:41  Q. Okay. And what was the time? 18:31:46  A. I'm not I don't want I 18:31:49 don't want to swear to the year or attest to 18:31:55 the year. I believe it was 2008. 18:31:58  Q. Okay. And do you recall who it 18:32:00 is you were speaking with? 18:32:05  A. No. 18:32:06
2 3 4 5 6 7 8 9 10 11 12 13	A. No. 18:29:45 Q. Okay. And do you have any 18:29:47 friends that live in Tennessee? 18:29:48 A. No. 18:29:49 Q. Okay. And you said earlier 18:29:51 that you were aware of the opioid epidemic in 18:29:53 this country. 18:29:56 Do you recall that testimony? 18:29:56 A. Yes. 18:29:57 Q. Okay. And are you aware of any 18:29:58 particular regions of the country where the 18:30:00 opioid epidemic seems to have hit harder than 18:30:02 others? 18:30:06	2 3 4 5 6 7 8 9 10 11 12 13	enforcement in Tennessee?  A. Yes. 18:31:37  Q. Okay. And can you tell me 18:31:38 roughly how many times? 18:31:40  A. Me, once. 18:31:41  Q. Okay. And what was the time? 18:31:46  A. I'm not I don't want I 18:31:49 don't want to swear to the year or attest to 18:31:55 the year. I believe it was 2008. 18:31:58  Q. Okay. And do you recall who it 18:32:00 is you were speaking with? 18:32:05  A. No. 18:32:06  Q. Okay. I'm going to show you 18:32:10
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. No. 18:29:45 Q. Okay. And do you have any 18:29:47 friends that live in Tennessee? 18:29:48 A. No. 18:29:49 Q. Okay. And you said earlier 18:29:51 that you were aware of the opioid epidemic in 18:29:53 this country. 18:29:56 Do you recall that testimony? 18:29:56 A. Yes. 18:29:57 Q. Okay. And are you aware of any 18:29:58 particular regions of the country where the 18:30:00 opioid epidemic seems to have hit harder than 18:30:02 others? 18:30:06 MR. O'CONNOR: Objection. 18:30:07 Form. 18:30:08 THE WITNESS: I read the press, 18:30:11 I'm familiar with that that press. 18:30:18	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	enforcement in Tennessee?  A. Yes.  18:31:37  Q. Okay. And can you tell me 18:31:38  roughly how many times?  18:31:40  A. Me, once. 18:31:41  Q. Okay. And what was the time? 18:31:46  A. I'm not I don't want I 18:31:49  don't want to swear to the year or attest to 18:31:55  the year. I believe it was 2008. 18:31:58  Q. Okay. And do you recall who it 18:32:00  is you were speaking with? 18:32:06  Q. Okay. I'm going to show you 18:32:10  what we're going to have marked here as 18:32:11  Exhibit 34, which we're going to late file 18:32:14  with an e-mail. 18:32:16  MS. HERZFELD: No objection 18:32:18
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		_	
	Page 462		Page 464
1	this around so you can just read it 18:32:24	1	111111111111111111111111111111111111111
2	yourself 18:32:26	2	A. Only to the extent that the 18:35:14
3	A. Oh, great, because I just 18:32:26	3	situation in Morristown led us to review 18:35:18
4	Q. It's just 18:32:28	4	to go to Sunrise distributors. 18:35:24
5	A. I just had lens implants, so 18:32:28	5	Q. Okay. And then I think you've 18:35:26
6	thank you. 18:32:31	6	already testified about your involvement with 18:35:27
7	Q. Oh, very good. 18:32:31	7	Sunrise today. 18:35:29
8	And if you want to read down, 18:32:33	8	A. Yes. 18:35:30
9	you can just use your finger, just, you know. 18:32:34	9	Q. Okay. But other than that, 18:35:31
10	A. Okay. 18:32:38	10	specifically with the Tennessee portion, you 18:35:32
11	All right. I've reread, yes. 18:32:39	11	didn't have any other involvement in that? 18:35:34
12	Q. Okay. Great. 18:33:14	12	A. There were some chargeback 18:35:37
13	And you received this e-mail 18:33:15	13	reports 18:35:39
14	from Bill Ratliff on Wednesday, July 8, 2009; 18:33:17	14	Q. Okay. 18:35:39
15	is that correct? 18:33:21	15	A also, but those were 18:35:39
16	A. July 7, 2009. 18:33:21	16	gathered to provide to Mr. Ratliff 18:35:42
17	Q. July 7th. Okay. 18:33:38	17	Q. Okay. 18:35:44
18	A. Yes, ma'am. 18:33:39	18	A again within the initial 18:35:45
19	Q. And does this e-mail describe a 18:33:43	19	course of his investigation. 18:35:47
20	communication that Mr. Ratliff had received 18:33:45	20	Q. Okay. 18:35:48
21 22	from an Officer Dwayne Collins in Morristown 18:33:47	21	A. But, no, nothing else. 18:35:48  Q. And do you know oh, go 18:35:52
	talking about pills going from being found 18:33:50	23	-
23	in an illegal drug transaction in Tennessee 18:33:54		ahead. 18:35:54
24	that were traced to Florida? 18:33:56  A. Yes. 18:33:58	24	A. I apologize. 18:35:54
45	A. Yes. 18:55:58	25	Q. That's okay. 18:35:55
	Page 463		Page 465
1	Q. Okay. And just for the record, 18:34:00	1	A. I apologize. 18:35:56
2			
_	this is a three-page document that is labeled 18:34:03	2	So we made the decision to go 18:35:56
3	this is a three-page document that is labeled 18:34:03 MNK_TNSTA05123927. 18:34:09	2	So we made the decision to go 18:35:56 to Sunrise and conduct an audit. Mr. Ratliff 18:35:59
3	MNK_TNSTA05123927. 18:34:09	3	to Sunrise and conduct an audit. Mr. Ratliff 18:35:59
3 4	MNK_TNSTA05123927. 18:34:09 Okay. Great. Now we're done 18:34:15	3 4	to Sunrise and conduct an audit. Mr. Ratliff 18:35:59 contacted Pete Kleissle, who was our 18:36:04
3 4 5	MNK_TNSTA05123927. 18:34:09 Okay. Great. Now we're done 18:34:15 with that complicated moment. 18:34:17	3 4 5	to Sunrise and conduct an audit. Mr. Ratliff 18:35:59 contacted Pete Kleissle, who was our 18:36:04 diversion group supervisor of DEA St. Louis. 18:36:06
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3 4 5 6 7	MNK_TNSTA05123927. 18:34:09 Okay. Great. Now we're done 18:34:15 with that complicated moment. 18:34:17 Okay. And did you personally 18:34:26 speak to Officer Dwayne Collins; do you 18:34:27 recall? 18:34:32 A. I believe the initial contact 18:34:32	3 4 5 6 7	to Sunrise and conduct an audit. Mr. Ratliff 18:35:59 contacted Pete Kleissle, who was our 18:36:04 diversion group supervisor of DEA St. Louis. 18:36:06 Pete came to Mallinckrodt, and 18:36:10 we had an informal conversation about 18:36:11 where Mr. Ratliff conveyed the circumstances 18:36:15 around the law enforcement investigation. 18:36:18
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3 4 5 6 7 8 9 10 11 12 13	MNK_TNSTA05123927.       18:34:09         Okay. Great. Now we're done       18:34:15         with that complicated moment.       18:34:17         Okay. And did you personally       18:34:26         speak to Officer Dwayne Collins; do you       18:34:27         recall?       18:34:32         A. I believe the initial contact       18:34:32         to Mallinckrodt was to me.       18:34:38         Q. Okay.       18:34:39         A. And I immediately turn it over       18:34:39         to Bill Ratliff.       18:34:40         Q. Okay. And once you turned it       18:34:41         over to Mr. Ratliff, did you have any further       18:34:43	3 4 5 6 7 8 9 10 11 12 13	to Sunrise and conduct an audit. Mr. Ratliff 18:35:59 contacted Pete Kleissle, who was our 18:36:04 diversion group supervisor of DEA St. Louis. 18:36:06 Pete came to Mallinckrodt, and 18:36:10 we had an informal conversation about 18:36:11 where Mr. Ratliff conveyed the circumstances 18:36:15 around the law enforcement investigation. 18:36:18 And Mr. Ratliff told Pete Kleissle that we 18:36:20 intended to go and conduct an audit of 18:36:23 Sunrise. So I was present for that meeting. 18:36:26 Q. Okay. And so Tennessee was 18:36:29 brought up in the context of we received this 18:36:30 information from this individual in 18:36:33
3 4 5 6 7 8 9 10 11 12 13	MNK_TNSTA05123927.       18:34:09         Okay. Great. Now we're done       18:34:15         with that complicated moment.       18:34:17         Okay. And did you personally       18:34:26         speak to Officer Dwayne Collins; do you       18:34:27         recall?       18:34:32         A. I believe the initial contact       18:34:32         to Mallinckrodt was to me.       18:34:38         Q. Okay.       18:34:39         A. And I immediately turn it over       18:34:39         to Bill Ratliff.       18:34:40         Q. Okay. And once you turned it       18:34:41         over to Mr. Ratliff, did you have any further       18:34:43         involvement with that situation?       18:34:47	3 4 5 6 7 8 9 10 11 12 13 14 15 16	to Sunrise and conduct an audit. Mr. Ratliff 18:35:59 contacted Pete Kleissle, who was our 18:36:04 diversion group supervisor of DEA St. Louis. 18:36:06 Pete came to Mallinckrodt, and 18:36:10 we had an informal conversation about 18:36:11 where Mr. Ratliff conveyed the circumstances 18:36:15 around the law enforcement investigation. 18:36:18 And Mr. Ratliff told Pete Kleissle that we 18:36:20 intended to go and conduct an audit of 18:36:23 Sunrise. So I was present for that meeting. 18:36:29 brought up in the context of we received this 18:36:30 information from this individual in 18:36:33 Morristown? 18:36:34
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3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	MNK_TNSTA05123927.       18:34:09         Okay. Great. Now we're done       18:34:15         with that complicated moment.       18:34:17         Okay. And did you personally       18:34:26         speak to Officer Dwayne Collins; do you       18:34:27         recall?       18:34:32         A. I believe the initial contact       18:34:32         to Mallinckrodt was to me.       18:34:38         Q. Okay.       18:34:39         to Bill Ratliff.       18:34:40         Q. Okay. And once you turned it       18:34:41         over to Mr. Ratliff, did you have any further       18:34:43         involvement with that situation?       18:34:47         A. Yes.       18:34:48         Q. Okay. And what was your       18:34:48	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	to Sunrise and conduct an audit. Mr. Ratliff 18:35:59 contacted Pete Kleissle, who was our 18:36:04 diversion group supervisor of DEA St. Louis. 18:36:06 Pete came to Mallinckrodt, and 18:36:10 we had an informal conversation about 18:36:11 where Mr. Ratliff conveyed the circumstances 18:36:15 around the law enforcement investigation. 18:36:18 And Mr. Ratliff told Pete Kleissle that we 18:36:20 intended to go and conduct an audit of 18:36:23 Sunrise. So I was present for that meeting. 18:36:26 Q. Okay. And so Tennessee was 18:36:29 brought up in the context of we received this 18:36:30 information from this individual in 18:36:34 A. Yes. 18:36:35 Q. Okay. And the chargeback 18:36:35
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MNK_TNSTA05123927.       18:34:09         Okay. Great. Now we're done       18:34:15         with that complicated moment.       18:34:17         Okay. And did you personally       18:34:26         speak to Officer Dwayne Collins; do you       18:34:27         recall?       18:34:32         A. I believe the initial contact       18:34:32         to Mallinckrodt was to me.       18:34:38         Q. Okay.       18:34:39         A. And I immediately turn it over       18:34:39         to Bill Ratliff.       18:34:40         Q. Okay. And once you turned it       18:34:41         over to Mr. Ratliff, did you have any further       18:34:43         involvement with that situation?       18:34:47         A. Yes.       18:34:48         Q. Okay. And what was your       18:34:48         involvement?       18:34:49	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	to Sunrise and conduct an audit. Mr. Ratliff 18:35:59 contacted Pete Kleissle, who was our 18:36:04 diversion group supervisor of DEA St. Louis. 18:36:06 Pete came to Mallinckrodt, and 18:36:10 we had an informal conversation about 18:36:11 where Mr. Ratliff conveyed the circumstances 18:36:15 around the law enforcement investigation. 18:36:18 And Mr. Ratliff told Pete Kleissle that we 18:36:20 intended to go and conduct an audit of 18:36:23 Sunrise. So I was present for that meeting. 18:36:26 Q. Okay. And so Tennessee was 18:36:29 brought up in the context of we received this 18:36:30 information from this individual in 18:36:33 Morristown? 18:36:35 Q. Okay. And the chargeback 18:36:35 reports that you provided to Mr. Ratliff in 18:36:37
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MNK_TNSTA05123927.       18:34:09         Okay. Great. Now we're done       18:34:15         with that complicated moment.       18:34:17         Okay. And did you personally       18:34:26         speak to Officer Dwayne Collins; do you       18:34:27         recall?       18:34:32         A. I believe the initial contact       18:34:32         to Mallinckrodt was to me.       18:34:39         A. And I immediately turn it over       18:34:39         to Bill Ratliff.       18:34:40         Q. Okay. And once you turned it       18:34:41         over to Mr. Ratliff, did you have any further       18:34:43         involvement with that situation?       18:34:48         Q. Okay. And what was your       18:34:48         involvement?       18:34:49         A. I helped Mr. Ratliff obtain the       18:34:49	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	to Sunrise and conduct an audit. Mr. Ratliff 18:35:59 contacted Pete Kleissle, who was our 18:36:04 diversion group supervisor of DEA St. Louis. 18:36:06 Pete came to Mallinckrodt, and 18:36:10 we had an informal conversation about 18:36:11 where Mr. Ratliff conveyed the circumstances 18:36:15 around the law enforcement investigation. 18:36:18 And Mr. Ratliff told Pete Kleissle that we 18:36:20 intended to go and conduct an audit of 18:36:23 Sunrise. So I was present for that meeting. 18:36:26 Q. Okay. And so Tennessee was 18:36:29 brought up in the context of we received this 18:36:30 information from this individual in 18:36:33 Morristown? 18:36:35 Q. Okay. And the chargeback 18:36:35 reports that you provided to Mr. Ratliff in 18:36:37 furtherance of his investigation in response 18:36:41
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MNK_TNSTA05123927.       18:34:09         Okay. Great. Now we're done       18:34:15         with that complicated moment.       18:34:17         Okay. And did you personally       18:34:26         speak to Officer Dwayne Collins; do you       18:34:27         recall?       18:34:32         A. I believe the initial contact       18:34:32         to Mallinckrodt was to me.       18:34:38         Q. Okay.       18:34:39         A. And I immediately turn it over       18:34:49         Q. Okay. And once you turned it       18:34:41         over to Mr. Ratliff, did you have any further       18:34:43         involvement with that situation?       18:34:47         A. Yes.       18:34:48         Q. Okay. And what was your       18:34:48         involvement?       18:34:49         A. I helped Mr. Ratliff obtain the       18:34:56	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	to Sunrise and conduct an audit. Mr. Ratliff 18:35:59 contacted Pete Kleissle, who was our 18:36:04 diversion group supervisor of DEA St. Louis. 18:36:06 Pete came to Mallinckrodt, and 18:36:10 we had an informal conversation about 18:36:11 where Mr. Ratliff conveyed the circumstances 18:36:15 around the law enforcement investigation. 18:36:18 And Mr. Ratliff told Pete Kleissle that we 18:36:20 intended to go and conduct an audit of 18:36:23 Sunrise. So I was present for that meeting. 18:36:26 Q. Okay. And so Tennessee was 18:36:29 brought up in the context of we received this 18:36:30 information from this individual in 18:36:33 Morristown? 18:36:34 A. Yes. 18:36:35 Q. Okay. And the chargeback 18:36:37 furtherance of his investigation in response 18:36:41 to this Morristown e-mail, do you recall 18:36:43
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MNK_TNSTA05123927. 18:34:09 Okay. Great. Now we're done 18:34:15 with that complicated moment. 18:34:17 Okay. And did you personally 18:34:26 speak to Officer Dwayne Collins; do you recall? 18:34:32 A. I believe the initial contact 18:34:32 to Mallinckrodt was to me. 18:34:38 Q. Okay. 18:34:39 A. And I immediately turn it over 18:34:39 to Bill Ratliff. 18:34:40 Q. Okay. And once you turned it 18:34:41 over to Mr. Ratliff, did you have any further 18:34:43 involvement with that situation? 18:34:47 A. Yes. 18:34:48 Q. Okay. And what was your 18:34:48 involvement? 18:34:49 reports he was requesting in terms of the 18:34:56 shipments of the particular drug product that 18:35:03	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	to Sunrise and conduct an audit. Mr. Ratliff 18:35:59 contacted Pete Kleissle, who was our 18:36:04 diversion group supervisor of DEA St. Louis. 18:36:06 Pete came to Mallinckrodt, and 18:36:10 we had an informal conversation about 18:36:11 where Mr. Ratliff conveyed the circumstances 18:36:15 around the law enforcement investigation. 18:36:18 And Mr. Ratliff told Pete Kleissle that we 18:36:20 intended to go and conduct an audit of 18:36:23 Sunrise. So I was present for that meeting. 18:36:26 Q. Okay. And so Tennessee was 18:36:29 brought up in the context of we received this 18:36:30 information from this individual in 18:36:33 Morristown? 18:36:34 A. Yes. 18:36:35 Q. Okay. And the chargeback 18:36:37 furtherance of his investigation in response 18:36:41 to this Morristown e-mail, do you recall 18:36:43 specifically what information was pulled in 18:36:46
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MNK_TNSTA05123927. 18:34:09 Okay. Great. Now we're done 18:34:15 with that complicated moment. 18:34:17 Okay. And did you personally 18:34:26 speak to Officer Dwayne Collins; do you 18:34:27 recall? 18:34:32 A. I believe the initial contact 18:34:32 to Mallinckrodt was to me. 18:34:38 Q. Okay. 18:34:39 A. And I immediately turn it over 18:34:39 to Bill Ratliff. 18:34:40 Q. Okay. And once you turned it 18:34:41 over to Mr. Ratliff, did you have any further 18:34:43 involvement with that situation? 18:34:47 A. Yes. 18:34:48 Q. Okay. And what was your 18:34:49 involvement? 18:34:49 A. I helped Mr. Ratliff obtain the 18:34:56 shipments of the particular drug product that 18:35:03 was the object of the investigation. 18:35:05	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	to Sunrise and conduct an audit. Mr. Ratliff 18:35:59 contacted Pete Kleissle, who was our 18:36:04 diversion group supervisor of DEA St. Louis. 18:36:06 Pete came to Mallinckrodt, and 18:36:10 we had an informal conversation about 18:36:11 where Mr. Ratliff conveyed the circumstances 18:36:15 around the law enforcement investigation. 18:36:18 And Mr. Ratliff told Pete Kleissle that we 18:36:20 intended to go and conduct an audit of 18:36:23 Sunrise. So I was present for that meeting. 18:36:26 Q. Okay. And so Tennessee was 18:36:29 brought up in the context of we received this 18:36:30 information from this individual in 18:36:33 Morristown? 18:36:35 Q. Okay. And the chargeback 18:36:35 reports that you provided to Mr. Ratliff in 18:36:37 furtherance of his investigation in response 18:36:41 to this Morristown e-mail, do you recall 18:36:46 those chargeback reports? 18:36:47
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	MNK_TNSTA05123927. 18:34:09  Okay. Great. Now we're done 18:34:15  with that complicated moment. 18:34:17  Okay. And did you personally 18:34:26  speak to Officer Dwayne Collins; do you 18:34:27  recall? 18:34:32  A. I believe the initial contact 18:34:32  to Mallinckrodt was to me. 18:34:38  Q. Okay. 18:34:39  A. And I immediately turn it over 18:34:39  to Bill Ratliff. 18:34:40  Q. Okay. And once you turned it 18:34:41  over to Mr. Ratliff, did you have any further 18:34:43  involvement with that situation? 18:34:47  A. Yes. 18:34:48  Q. Okay. And what was your 18:34:49  involvement? 18:34:49  A. I helped Mr. Ratliff obtain the 18:34:56  shipments of the particular drug product that 18:35:03  was the object of the investigation. 18:35:05  Q. Okay. And is there any other 18:35:07	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	to Sunrise and conduct an audit. Mr. Ratliff 18:35:59 contacted Pete Kleissle, who was our 18:36:04 diversion group supervisor of DEA St. Louis. 18:36:06 Pete came to Mallinckrodt, and 18:36:10 we had an informal conversation about 18:36:11 where Mr. Ratliff conveyed the circumstances 18:36:15 around the law enforcement investigation. 18:36:18 And Mr. Ratliff told Pete Kleissle that we 18:36:20 intended to go and conduct an audit of 18:36:23 Sunrise. So I was present for that meeting. 18:36:26 Q. Okay. And so Tennessee was 18:36:29 brought up in the context of we received this 18:36:30 information from this individual in 18:36:33 Morristown? 18:36:35 Q. Okay. And the chargeback 18:36:35 reports that you provided to Mr. Ratliff in 18:36:37 furtherance of his investigation in response 18:36:41 to this Morristown e-mail, do you recall 18:36:43 specifically what information was pulled in 18:36:46 those chargeback reports? 18:36:47 A. I don't know specifically what 18:36:48
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MNK_TNSTA05123927. 18:34:09 Okay. Great. Now we're done 18:34:15 with that complicated moment. 18:34:17 Okay. And did you personally 18:34:26 speak to Officer Dwayne Collins; do you 18:34:27 recall? 18:34:32 A. I believe the initial contact 18:34:32 to Mallinckrodt was to me. 18:34:38 Q. Okay. 18:34:39 A. And I immediately turn it over 18:34:39 to Bill Ratliff. 18:34:40 Q. Okay. And once you turned it 18:34:41 over to Mr. Ratliff, did you have any further 18:34:43 involvement with that situation? 18:34:47 A. Yes. 18:34:48 Q. Okay. And what was your 18:34:49 involvement? 18:34:49 A. I helped Mr. Ratliff obtain the 18:34:56 shipments of the particular drug product that 18:35:03 was the object of the investigation. 18:35:05	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	to Sunrise and conduct an audit. Mr. Ratliff 18:35:59 contacted Pete Kleissle, who was our 18:36:04 diversion group supervisor of DEA St. Louis. 18:36:06 Pete came to Mallinckrodt, and 18:36:10 we had an informal conversation about 18:36:11 where Mr. Ratliff conveyed the circumstances 18:36:15 around the law enforcement investigation. 18:36:18 And Mr. Ratliff told Pete Kleissle that we 18:36:20 intended to go and conduct an audit of 18:36:23 Sunrise. So I was present for that meeting. 18:36:26 Q. Okay. And so Tennessee was 18:36:29 brought up in the context of we received this 18:36:30 information from this individual in 18:36:33 Morristown? 18:36:35 Q. Okay. And the chargeback 18:36:35 reports that you provided to Mr. Ratliff in 18:36:37 furtherance of his investigation in response 18:36:41 to this Morristown e-mail, do you recall 18:36:46 those chargeback reports? 18:36:47

	5 1		-
	Page 466		Page 468
1	customized. 18:36:59	1	Diversion Investigators, the title of their 18:38:55
2	Q. Okay. Do you know where I 18:37:00	2	newsletter is RX News. 18:38:56
3	could locate those reports? 18:37:01	3	Q. Okay. 18:38:57
4	A. I don't know. 18:37:03	4	A. And a lot of them came 18:38:58
5	Q. Okay. Would you have e-mailed 18:37:10	5	through it was called Mudri, or Mudri, 18:38:59
6	them to Mr. Ratliff? 18:37:11	6	agency. 18:39:02
7	A. They would have likely been 18:37:12	7	Q. Okay. 18:39:03
8	e-mailed from Eileen Spaulding. 18:37:14	8	A. So it was all connected to 18:39:03
9	Q. Okay. 18:37:19	9	these NADDI reports. 18:39:05
10	A. And potentially on the 18:37:19	10	Q. Okay. So those are all 18:39:06
11	chargebacks from Kate Muhlenkamp. 18:37:21	11	generally the same thing, even if they have 18:39:07
12	Q. Okay. And it would have been 18:37:25	12	different names? 18:39:09
13	to you and/or Mr. Ratliff? 18:37:29	13	A. Yes. 18:39:10
14	A. Yes. 18:37:31	14	Q. Okay. Great. 18:39:11
15	Q. Okay. And would it have been 18:37:32	15	And you received those reports 18:39:11
16	around that time in 2009? 18:37:34	16	as part of your job; is that correct? 18:39:13
17	A. Yes. 18:37:36	17	A. Yes. 18:39:15
18	Q. Okay. And the that's all 18:37:39	18	Q. Okay. And then did 18:39:16
19	you remember about the chargeback data? 18:37:43	19	Mallinckrodt take that information and then 18:39:17
20	Is there anything else you 18:37:45	20	turn that into a controlled substances 18:39:20
21	remember? 18:37:46	21	compliance monthly newsletter? 18:39:23
22	A. It was 2009 I'm sorry. 18:37:46	22	A. Yes. 18:39:26
23	Q. That's okay. 18:37:48	23	Q. Okay. And who was responsible 18:39:27
24	A. That's the drug task force 18:37:49	24	for doing that? 18:39:28
25	officer call to Mallinckrodt. 18:37:51	25	A. One of my colleagues. Her name 18:39:29
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1	Q. Yes, ma'am. 18:37:52	1	is Carrie Johnson, and she's at our Hobart, 18:39:32
2	A. I'm sorry. 18:37:53	2	New York, facility. 18:39:36
3	So can you repeat the last 18:37:53	3	Q. Okay. And basically in those 18:39:37
4	question? 18:37:56	4	controlled substances compliance monthly 18:39:39
5	Q. Sure. 18:37:56	5	newsletters, it would summarize news articles 18:39:41
6	So when the chargeback data was 18:37:57	6	about controlled substances? 18:39:43
7	pulled, do you believe that would have been 18:37:58	7	A. Yes. Well, the reports we had 18:39:44
8	in 2009? 18:38:01	8	obtained through RX News, yes. 18:39:47
9	A. Yes. 18:38:01	9	Q. Okay. And does Mallinckrodt 18:39:49
10	Q. Okay. Okay. Okay. And I 18:38:03	10	still receive some kind of document that 18:39:53
11	think you testified earlier that as part of 18:38:25	11	aggregates news articles in that way? 18:39:56
12	your job, you were included on certain 18:38:26	12	A. I don't know. We have Google 18:39:58
13	LISTSERVs where you received news articles? 18:38:29	13	Alerts set, but I don't know that we receive 18:40:03
14	A. Yes. 18:38:30	14	RX News or if they still provide that 18:40:05
15	Q. Okay. And those were the 18:38:31	15	service. 18:40:07
16	NADDI; is that right? 18:38:34	16	Q. Google Alerts is definitely 18:40:08
17	A. Yes. 18:38:35	17	pretty easy to do, right? 18:40:11
18	Q. Okay. Which is the National 18:38:35	18	A. Yes. 18:40:12
19	Association of Drug Diversion Investigators? 18:38:39  A. Yes. 18:38:39	19	Q. Okay. Do you know what words 18:40:12
20		20	are keyed in for Google Alerts? 18:40:13
21	Q. Okay. And also RX News? 18:38:39 A. Yes. 18:38:42	21	A. Yes. 18:40:16
23	Q. Okay. And then what is Mudri 18:38:43	23	<ul><li>Q. Could you tell me, please? 18:40:16</li><li>A. "Oxycodone." "Prescription 18:40:18</li></ul>
24	and Associates? 18:38:46	24	A. "Oxycodone." "Prescription 18:40:18 drug." "Diversion." "Pharmacy theft." 18:40:23
25	A. So National Association of Drug 18:38:50	25	Those are some, but I don't know that that's 18:40:28
( /. 7		140	THOSE ALE SOME, DULL HOULT KHOW HIALIMALS TA:40:78
	71. Bo Harional Association of Diag 10.30.30		111000 410 50110, 040 1 40110 11110 11 4140 11 4140 5 10110120

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1	an all-inclusive list. 18:40:30	1	
2	Q. Okay. Thank you, ma'am. 18:40:32	2	Okay. What I've handed you 18:43:53
3	Do you know if "pill mill" is 18:40:33	3	here is an e-mail that you received from 18:43:57
4	in there? 18:40:34	4	Eileen Spaulding dated August 11, 2016; is 18:43:59
5	A. I believe so. 18:40:35	5	that correct? 18:44:03
6	Q. Okay. And one of the things 18:40:37	6	A. Yes, that's part of the chain. 18:44:03
7	that you're monitoring is news about pill 18:40:39	7	Q. Okay. And then the subject is 18:44:05
8	mills? 18:40:42	8	re: Google Alert oxycodone; is that correct? 18:44:07
9	A. Yes. 18:40:42	9	A. Yes. 18:44:09
10	Q. Okay. And specifically pill 18:40:44	10	Q. Okay. And so looking down 18:44:10
11	mills that are dealing in oxycodone? 18:40:45	11	here, I'm mostly interested in who is 18:44:14
12	A. Yes. 18:40:48	12	Heather McKenzie? 18:44:17
13	Q. Okay. And are you aware of 18:40:51	13	A. She was part of our group 18:44:19
14	that there are pill mills in the state of 18:40:54	14	well, she's still part of the controlled 18:44:21
15	Tennessee? 18:40:56	15	substances compliance group, but she for a 18:44:25
16	A. I may have received articles to 18:40:56	16	period of time worked more closely with 18:44:26
17	that effect, but not no, I'm not it's 18:41:00	17	suspicious order monitoring. 18:44:29
18	not in my sphere of awareness right now. 18:41:02	18	Q. Okay. And was she working more 18:44:29
19	Q. Okay. I can show you some of 18:41:06	19	with suspicious order monitoring or 18:44:32
20	the articles if you'd like. 18:41:07	20	controlled substances compliance in August 18:44:34
21	A. No, I'll believe you. 18:41:08	21	of 2016? 18:44:37
22	Q. Oh, well, I don't want to 18:41:10	22	A. Suspicious order monitoring. 18:44:37
23	testify to it. I just need to know if you 18:41:11	23	Q. Okay. And so it looks to me 18:44:39
24	were aware from your time at Mallinckrodt 18:41:15	24	like Heather McKenzie set up her Google Alert 18:44:4
25	A. Oh, yes. 18:41:16	25	to her work e-mail address and is excited 18:44:44
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1	Q that there are pill mills in 18:41:17	1	that it showed up. 18:44:47
2	Tennessee. 18:41:19	2	Does that look correct? 18:44:48
3	A. Yes. Yes. 18:41:19		10.44.40
		3	A. Yes. Yes. 18:44:49
4	Q. Okay. Great, ma'am. Thank 18:41:20	3 4	A. Yes. Yes. 18:44:49  Q. Okay. And she's e-mailing that 18:44:50
	you. 18:41:22		Q. Okay. And she's e-mailing that 18:44:50 to you. 18:44:51
4		4	Q. Okay. And she's e-mailing that 18:44:50 to you. 18:44:51  Was that a direction from you 18:44:54
4 5	you. 18:41:22	4 5	Q. Okay. And she's e-mailing that 18:44:50 to you. 18:44:51
4 5 6	you. 18:41:22 And had you ever heard that 18:41:22	4 5 6	Q. Okay. And she's e-mailing that 18:44:50 to you. 18:44:51  Was that a direction from you 18:44:54
4 5 6 7	you. 18:41:22  And had you ever heard that 18:41:22 those pill mills, some of them had popped up 18:41:23 more after pill mills had closed in Florida? 18:41:26  A. Yes. 18:41:28	4 5 6 7	Q. Okay. And she's e-mailing that 18:44:50 to you. 18:44:51  Was that a direction from you 18:44:54 to her to set up the Google Alert? 18:44:55  A. Yes. 18:44:57  Q. Okay. And why was that? 18:44:58
4 5 6 7 8	you. 18:41:22  And had you ever heard that 18:41:22 those pill mills, some of them had popped up 18:41:23 more after pill mills had closed in Florida? 18:41:26  A. Yes. 18:41:28  MR. O'CONNOR: Object to form. 18:41:29	4 5 6 7 8	Q. Okay. And she's e-mailing that 18:44:50 to you. 18:44:51  Was that a direction from you 18:44:54 to her to set up the Google Alert? 18:44:55  A. Yes. 18:44:57  Q. Okay. And why was that? 18:44:58  A. She was taking over the 18:44:58
4 5 6 7 8 9	you. 18:41:22  And had you ever heard that 18:41:22 those pill mills, some of them had popped up 18:41:23 more after pill mills had closed in Florida? 18:41:26  A. Yes. 18:41:28	4 5 6 7 8 9	Q. Okay. And she's e-mailing that 18:44:50 to you. 18:44:51  Was that a direction from you 18:44:54 to her to set up the Google Alert? 18:44:55  A. Yes. 18:44:57  Q. Okay. And why was that? 18:44:58
4 5 6 7 8 9 10	you. 18:41:22  And had you ever heard that 18:41:22 those pill mills, some of them had popped up 18:41:23 more after pill mills had closed in Florida? 18:41:26  A. Yes. 18:41:28  MR. O'CONNOR: Object to form. 18:41:29	4 5 6 7 8 9	Q. Okay. And she's e-mailing that 18:44:50 to you. 18:44:51  Was that a direction from you 18:44:54 to her to set up the Google Alert? 18:44:55  A. Yes. 18:44:57  Q. Okay. And why was that? 18:44:58  A. She was taking over the 18:44:58
4 5 6 7 8 9	you. 18:41:22  And had you ever heard that 18:41:22  those pill mills, some of them had popped up 18:41:23  more after pill mills had closed in Florida? 18:41:26  A. Yes. 18:41:28  MR. O'CONNOR: Object to form. 18:41:29  QUESTIONS BY MS. HERZFELD: 18:41:30	4 5 6 7 8 9 10	Q. Okay. And she's e-mailing that 18:44:50 to you. 18:44:51  Was that a direction from you 18:44:54 to her to set up the Google Alert? 18:44:55  A. Yes. 18:44:57 Q. Okay. And why was that? 18:44:58 A. She was taking over the 18:44:58 responsibility being passed on from Carrie 18:45:00
4 5 6 7 8 9 10 11	you. 18:41:22  And had you ever heard that 18:41:22 those pill mills, some of them had popped up 18:41:23 more after pill mills had closed in Florida? 18:41:26  A. Yes. 18:41:28  MR. O'CONNOR: Object to form. 18:41:29 QUESTIONS BY MS. HERZFELD: 18:41:30 Q. So if pill mills closed in 18:41:30	4 5 6 7 8 9 10 11 12	Q. Okay. And she's e-mailing that 18:44:50 to you. 18:44:51  Was that a direction from you 18:44:54 to her to set up the Google Alert? 18:44:55  A. Yes. 18:44:57 Q. Okay. And why was that? 18:44:58 A. She was taking over the 18:44:58 responsibility being passed on from Carrie 18:45:00 Johnson. 18:45:03 Q. Okay. Great. 18:45:04 And then Eileen says, "It seems 18:45:04
4 5 6 7 8 9 10 11 12 13 14	you. 18:41:22  And had you ever heard that 18:41:22 those pill mills, some of them had popped up 18:41:23 more after pill mills had closed in Florida? 18:41:26  A. Yes. 18:41:28  MR. O'CONNOR: Object to form. 18:41:29 QUESTIONS BY MS. HERZFELD: 18:41:30  Q. So if pill mills closed in 18:41:30 Florida, you heard that more had popped up in 18:41:32	4 5 6 7 8 9 10 11 12 13	Q. Okay. And she's e-mailing that 18:44:50 to you. 18:44:51  Was that a direction from you 18:44:54 to her to set up the Google Alert? 18:44:55  A. Yes. 18:44:57 Q. Okay. And why was that? 18:44:58 A. She was taking over the 18:44:58 responsibility being passed on from Carrie 18:45:00 Johnson. 18:45:03 Q. Okay. Great. 18:45:04
4 5 6 7 8 9 10 11 12 13 14	you. 18:41:22  And had you ever heard that 18:41:22  those pill mills, some of them had popped up 18:41:23  more after pill mills had closed in Florida? 18:41:26  A. Yes. 18:41:28  MR. O'CONNOR: Object to form. 18:41:29  QUESTIONS BY MS. HERZFELD: 18:41:30  Q. So if pill mills closed in 18:41:30  Florida, you heard that more had popped up in 18:41:32  Tennessee? 18:41:34	4 5 6 7 8 9 10 11 12 13	Q. Okay. And she's e-mailing that 18:44:50 to you. 18:44:51  Was that a direction from you 18:44:54 to her to set up the Google Alert? 18:44:55  A. Yes. 18:44:57 Q. Okay. And why was that? 18:44:58 A. She was taking over the 18:44:58 responsibility being passed on from Carrie 18:45:00 Johnson. 18:45:03 Q. Okay. Great. 18:45:04 And then Eileen says, "It seems 18:45:04
4 5 6 7 8 9 10 11 12 13 14	you. 18:41:22  And had you ever heard that 18:41:22 those pill mills, some of them had popped up 18:41:23 more after pill mills had closed in Florida? 18:41:26  A. Yes. 18:41:28  MR. O'CONNOR: Object to form. 18:41:29 QUESTIONS BY MS. HERZFELD: 18:41:30  Q. So if pill mills closed in 18:41:30 Florida, you heard that more had popped up in 18:41:32 Tennessee? 18:41:34  A. Yes, and surrounding states, 18:41:35	4 5 6 7 8 9 10 11 12 13 14	Q. Okay. And she's e-mailing that 18:44:50 to you. 18:44:51  Was that a direction from you 18:44:54 to her to set up the Google Alert? 18:44:55  A. Yes. 18:44:57 Q. Okay. And why was that? 18:44:58 A. She was taking over the 18:44:58 responsibility being passed on from Carrie 18:45:00 Johnson. 18:45:03 Q. Okay. Great. 18:45:04 And then Eileen says, "It seems 18:45:04 like there's an awful lot of hits here. Is 18:45:08
4 5 6 7 8 9 10 11 12 13 14 15	you. 18:41:22  And had you ever heard that 18:41:22 those pill mills, some of them had popped up 18:41:23 more after pill mills had closed in Florida? 18:41:26  A. Yes. 18:41:28  MR. O'CONNOR: Object to form. 18:41:29 QUESTIONS BY MS. HERZFELD: 18:41:30 Q. So if pill mills closed in 18:41:30 Florida, you heard that more had popped up in 18:41:32 Tennessee? 18:41:34  A. Yes, and surrounding states, 18:41:35 yes. 18:41:37	4 5 6 7 8 9 10 11 12 13 14 15	Q. Okay. And she's e-mailing that 18:44:50 to you. 18:44:51  Was that a direction from you 18:44:54 to her to set up the Google Alert? 18:44:55  A. Yes. 18:44:57 Q. Okay. And why was that? 18:44:58 A. She was taking over the 18:44:58 responsibility being passed on from Carrie 18:45:00 Johnson. 18:45:03 Q. Okay. Great. 18:45:04 And then Eileen says, "It seems 18:45:04 like there's an awful lot of hits here. Is 18:45:08 this what Jen used to receive? Just make 18:45:11
4 5 6 7 8 9 10 11 12 13 14 15 16 17	you. 18:41:22  And had you ever heard that 18:41:22  those pill mills, some of them had popped up 18:41:23  more after pill mills had closed in Florida? 18:41:26  A. Yes. 18:41:28  MR. O'CONNOR: Object to form. 18:41:29  QUESTIONS BY MS. HERZFELD: 18:41:30  Q. So if pill mills closed in 18:41:30  Florida, you heard that more had popped up in 18:41:32  Tennessee? 18:41:34  A. Yes, and surrounding states, 18:41:35  yes. 18:41:37  Q. Okay. Thank you, ma'am. 18:41:37	4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Okay. And she's e-mailing that 18:44:50 to you. 18:44:51  Was that a direction from you 18:44:54 to her to set up the Google Alert? 18:44:55  A. Yes. 18:44:57 Q. Okay. And why was that? 18:44:58 A. She was taking over the 18:44:58 responsibility being passed on from Carrie 18:45:00 Johnson. 18:45:03 Q. Okay. Great. 18:45:04 And then Eileen says, "It seems 18:45:04 like there's an awful lot of hits here. Is 18:45:08 this what Jen used to receive? Just make 18:45:11 sure we set up her Google Alerts correctly 18:45:13
4 5 6 7 8 9 10 11 12 13 14 15 16 17	you. 18:41:22  And had you ever heard that 18:41:22 those pill mills, some of them had popped up 18:41:23 more after pill mills had closed in Florida? 18:41:26  A. Yes. 18:41:28  MR. O'CONNOR: Object to form. 18:41:29 QUESTIONS BY MS. HERZFELD: 18:41:30  Q. So if pill mills closed in 18:41:30  Florida, you heard that more had popped up in 18:41:32 Tennessee? 18:41:34  A. Yes, and surrounding states, 18:41:35 yes. 18:41:37  Q. Okay. Thank you, ma'am. 18:41:37  (Mallinckrodt-Harper Exhibit 35 18:42:59	4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q. Okay. And she's e-mailing that 18:44:50 to you. 18:44:51  Was that a direction from you 18:44:54 to her to set up the Google Alert? 18:44:55  A. Yes. 18:44:57 Q. Okay. And why was that? 18:44:58 A. She was taking over the 18:44:58 responsibility being passed on from Carrie 18:45:00 Johnson. 18:45:03 Q. Okay. Great. 18:45:04 And then Eileen says, "It seems 18:45:04 like there's an awful lot of hits here. Is 18:45:08 this what Jen used to receive? Just make 18:45:11 sure we set up her Google Alerts correctly 18:45:13 for the right terms. Eileen." 18:45:16
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	you. 18:41:22  And had you ever heard that 18:41:22 those pill mills, some of them had popped up 18:41:23 more after pill mills had closed in Florida? 18:41:26  A. Yes. 18:41:28  MR. O'CONNOR: Object to form. 18:41:29 QUESTIONS BY MS. HERZFELD: 18:41:30  Q. So if pill mills closed in 18:41:30 Florida, you heard that more had popped up in 18:41:32 Tennessee? 18:41:34  A. Yes, and surrounding states, 18:41:35 yes. 18:41:37  Q. Okay. Thank you, ma'am. 18:41:37  (Mallinckrodt-Harper Exhibit 35 18:42:59 marked for identification.) 18:43:00	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. Okay. And she's e-mailing that 18:44:50 to you. 18:44:51  Was that a direction from you 18:44:54 to her to set up the Google Alert? 18:44:55  A. Yes. 18:44:57 Q. Okay. And why was that? 18:44:58  A. She was taking over the 18:44:58 responsibility being passed on from Carrie 18:45:00 Johnson. 18:45:03 Q. Okay. Great. 18:45:04  And then Eileen says, "It seems 18:45:04 like there's an awful lot of hits here. Is 18:45:08 this what Jen used to receive? Just make 18:45:11 sure we set up her Google Alerts correctly 18:45:13 for the right terms. Eileen." 18:45:16  Do you see where it says that? 18:45:18
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	you. 18:41:22  And had you ever heard that 18:41:22  those pill mills, some of them had popped up 18:41:23  more after pill mills had closed in Florida? 18:41:26  A. Yes. 18:41:28  MR. O'CONNOR: Object to form. 18:41:29  QUESTIONS BY MS. HERZFELD: 18:41:30  Florida, you heard that more had popped up in 18:41:32  Tennessee? 18:41:34  A. Yes, and surrounding states, 18:41:35  yes. 18:41:37  Q. Okay. Thank you, ma'am. 18:41:37  (Mallinckrodt-Harper Exhibit 35 18:42:59  marked for identification.) 18:43:00  QUESTIONS BY MS. HERZFELD: 18:43:00	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. Okay. And she's e-mailing that 18:44:50 to you. 18:44:51  Was that a direction from you 18:44:54 to her to set up the Google Alert? 18:44:55 A. Yes. 18:44:57 Q. Okay. And why was that? 18:44:58 A. She was taking over the 18:44:58 responsibility being passed on from Carrie 18:45:00 Johnson. 18:45:03 Q. Okay. Great. 18:45:04 And then Eileen says, "It seems 18:45:04 like there's an awful lot of hits here. Is 18:45:08 this what Jen used to receive? Just make 18:45:11 sure we set up her Google Alerts correctly 18:45:13 for the right terms. Eileen." 18:45:16 Do you see where it says that? 18:45:18 A. Yes, and I'd like to clarify my 18:45:21
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	you. 18:41:22  And had you ever heard that 18:41:22 those pill mills, some of them had popped up 18:41:23 more after pill mills had closed in Florida? 18:41:26  A. Yes. 18:41:28  MR. O'CONNOR: Object to form. 18:41:29 QUESTIONS BY MS. HERZFELD: 18:41:30  Q. So if pill mills closed in 18:41:30 Florida, you heard that more had popped up in 18:41:32 Tennessee? 18:41:34  A. Yes, and surrounding states, 18:41:35 yes. 18:41:37  Q. Okay. Thank you, ma'am. 18:41:37  (Mallinckrodt-Harper Exhibit 35 18:42:59 marked for identification.) 18:43:00  QUESTIONS BY MS. HERZFELD: 18:43:00  Q. Okay. We'll mark this next 18:43:00	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Okay. And she's e-mailing that 18:44:50 to you. 18:44:51  Was that a direction from you 18:44:54 to her to set up the Google Alert? 18:44:55 A. Yes. 18:44:57 Q. Okay. And why was that? 18:44:58 A. She was taking over the 18:44:58 responsibility being passed on from Carrie 18:45:00 Johnson. 18:45:03 Q. Okay. Great. 18:45:04 And then Eileen says, "It seems 18:45:04 like there's an awful lot of hits here. Is 18:45:08 this what Jen used to receive? Just make 18:45:11 sure we set up her Google Alerts correctly 18:45:13 for the right terms. Eileen." 18:45:16 Do you see where it says that? 18:45:18 A. Yes, and I'd like to clarify my 18:45:21 last answer. 18:45:23
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	you. 18:41:22  And had you ever heard that 18:41:22 those pill mills, some of them had popped up 18:41:23 more after pill mills had closed in Florida? 18:41:26  A. Yes. 18:41:28  MR. O'CONNOR: Object to form. 18:41:29 QUESTIONS BY MS. HERZFELD: 18:41:30  Q. So if pill mills closed in 18:41:30  Florida, you heard that more had popped up in 18:41:32 Tennessee? 18:41:34  A. Yes, and surrounding states, 18:41:35 yes. 18:41:37  Q. Okay. Thank you, ma'am. 18:41:37  (Mallinckrodt-Harper Exhibit 35 18:42:59 marked for identification.) 18:43:00  QUESTIONS BY MS. HERZFELD: 18:43:00 exhibit as number 35. 18:43:01	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Okay. And she's e-mailing that 18:44:50 to you. 18:44:51  Was that a direction from you 18:44:54 to her to set up the Google Alert? 18:44:55  A. Yes. 18:44:57 Q. Okay. And why was that? 18:44:58 A. She was taking over the 18:44:58 responsibility being passed on from Carrie 18:45:00 Johnson. 18:45:03 Q. Okay. Great. 18:45:04 And then Eileen says, "It seems 18:45:04 like there's an awful lot of hits here. Is 18:45:08 this what Jen used to receive? Just make 18:45:11 sure we set up her Google Alerts correctly 18:45:13 for the right terms. Eileen." 18:45:16 Do you see where it says that? 18:45:18 A. Yes, and I'd like to clarify my 18:45:21 last answer. 18:45:23 Q. Sure. 18:45:23

	Page 474		Page 476
1	who did for them a while. 18:45:34	1	usual? 18:47:12
2	Q. Okay. 18:45:34	2	A. So I'm looking to see, please, 18:47:12
3	A. Jen left the company, and then 18:45:36	3	if these are Google Alerts all from the same 18:47:14
4	they went to this Heather McKenzie. 18:45:37	4	day or if it's an accumulation of days. I 18:47:17
5	Q. Okay. Great. 18:45:40	5	cannot tell that by this document. 18:47:21
6	And do you know if Heather does 18:45:40	6	Q. Okay. And do you know if you 18:47:22
7	them now? 18:45:41	7	normally had your team running them, the 18:47:25
8	A. She does not. 18:45:42	8	Google Alerts for oxycodone and the other key 18:47:27
9	Q. Do you know who does? 18:45:42	9	words we had talked about, once a day or once 18:47:30
10	A. Yes. 18:45:44	10	a week? 18:47:33
11	Q. Who is it? 18:45:44	11	A. So it's a passive process. We 18:47:34
12	A. There's a controlled substances 18:45:45	12	set up the Google Alerts, and then the Google 18:47:37
13	compliance auditor analyst at our Hobart, New 18:45:48	13	Alerts come to us automatically based upon 18:47:40
14	York, facility who takes care of them. 18:45:52	14	Google's search for these key terms. 18:47:43
15	Q. And do you know his or her 18:45:53	15	Q. Okay. So you don't set the 18:47:45
16	name? 18:45:55	16	frequency; Google does? 18:47:47
17	A. She's very new. Rochelle 18:45:55	17	A. Correct. 18:47:48
18	it's like MoQuay or Mokay. I'm not certain. 18:46:00	18	Q. Okay. Okay. And so looking at 18:47:49
19	She's within the past couple of weeks joined 18:46:03	19	this basically nine and a half pages of hits, 18:47:53
20	our group. 18:46:05	20	that didn't seem unusual to you according to 18:47:55
21	Q. Oh, very new. 18:46:05	21	this e-mail? 18:47:56
22	A. Yes. 18:46:06	22	A. Correct. 18:47:57
23	Q. Okay. Great. 18:46:07	23	Q. Okay. And then when you said, 18:47:57
24	And in between Rochelle, has 18:46:07	24	"Not all articles require any kind of 18:47:59
25	Heather had the responsibility from that 18:46:10	25	chargeback lookup whatsoever," typically did 18:48:02
	Page 475		Page 477
1	point? 18:46:12	1	some article require chargeback lookup? 18:48:06
1 2	point? 18:46:12 A. Yes. 18:46:13	1 2	A. Yes, if a pharmacy was named. 18:48:08
	A. Yes. 18:46:13 Q. Okay. So then Eileen says, as 18:46:16		A. Yes, if a pharmacy was named. 18:48:08 Q. If a pharmacy was named. Okay. 18:48:09
2 3 4	A. Yes. 18:46:13  Q. Okay. So then Eileen says, as 18:46:16 we just said, going back to this, it looks 18:46:20	2 3 4	<ul><li>A. Yes, if a pharmacy was named. 18:48:08</li><li>Q. If a pharmacy was named. Okay. 18:48:09</li><li>What about if a physician was 18:48:11</li></ul>
2	A. Yes. 18:46:13 Q. Okay. So then Eileen says, as 18:46:16 we just said, going back to this, it looks 18:46:20 like basically there's a lot of hits there. 18:46:22	2 3 4 5	A. Yes, if a pharmacy was named. 18:48:08 Q. If a pharmacy was named. Okay. 18:48:09 What about if a physician was 18:48:11 named? 18:48:12
2 3 4 5 6	A. Yes. 18:46:13 Q. Okay. So then Eileen says, as 18:46:16 we just said, going back to this, it looks 18:46:20 like basically there's a lot of hits there. 18:46:22 Is that usual. 18:46:25	2 3 4 5	A. Yes, if a pharmacy was named. 18:48:08 Q. If a pharmacy was named. Okay. 18:48:09 What about if a physician was 18:48:11 named? 18:48:12 A. In at some point in our 18:48:13
2 3 4 5 6 7	A. Yes. 18:46:13  Q. Okay. So then Eileen says, as 18:46:16  we just said, going back to this, it looks 18:46:20 like basically there's a lot of hits there. 18:46:22  Is that usual. 18:46:25  Did you respond to her? 18:46:26	2 3 4 5 6 7	A. Yes, if a pharmacy was named. 18:48:08 Q. If a pharmacy was named. Okay. 18:48:09 What about if a physician was 18:48:11 named? 18:48:12 A. In at some point in our 18:48:13 program, yes, but not not at the current 18:48:21
2 3 4 5 6 7 8	A. Yes. 18:46:13 Q. Okay. So then Eileen says, as 18:46:16 we just said, going back to this, it looks 18:46:20 like basically there's a lot of hits there. 18:46:22 Is that usual. 18:46:25 Did you respond to her? 18:46:26 A. Yes. 18:46:27	2 3 4 5 6 7 8	A. Yes, if a pharmacy was named. 18:48:08 Q. If a pharmacy was named. Okay. 18:48:09 What about if a physician was 18:48:11 named? 18:48:12 A. In at some point in our 18:48:13 program, yes, but not not at the current 18:48:21 time. 18:48:25
2 3 4 5 6 7 8	A. Yes. 18:46:13 Q. Okay. So then Eileen says, as 18:46:16 we just said, going back to this, it looks 18:46:20 like basically there's a lot of hits there. 18:46:22 Is that usual. 18:46:25 Did you respond to her? 18:46:26 A. Yes. 18:46:27 Q. Okay. And that's the next 18:46:28	2 3 4 5 6 7 8	A. Yes, if a pharmacy was named. 18:48:08 Q. If a pharmacy was named. Okay. 18:48:09 What about if a physician was 18:48:11 named? 18:48:12 A. In at some point in our 18:48:13 program, yes, but not not at the current 18:48:21 time. 18:48:25 Q. Okay. And what was the period 18:48:26
2 3 4 5 6 7 8 9	A. Yes. 18:46:13 Q. Okay. So then Eileen says, as 18:46:16 we just said, going back to this, it looks 18:46:20 like basically there's a lot of hits there. 18:46:22 Is that usual. 18:46:25 Did you respond to her? 18:46:26 A. Yes. 18:46:27 Q. Okay. And that's the next 18:46:28 e-mail chain here, Thursday, August 11th, at 18:46:29	2 3 4 5 6 7 8 9	A. Yes, if a pharmacy was named. 18:48:08 Q. If a pharmacy was named. Okay. 18:48:09 What about if a physician was 18:48:11 named? 18:48:12 A. In at some point in our 18:48:13 program, yes, but not not at the current 18:48:21 time. 18:48:25 Q. Okay. And what was the period 18:48:26 of time that you would do a chargeback lookup 18:48:27
2 3 4 5 6 7 8 9 10	A. Yes. 18:46:13 Q. Okay. So then Eileen says, as 18:46:16 we just said, going back to this, it looks 18:46:20 like basically there's a lot of hits there. 18:46:22 Is that usual. 18:46:25 Did you respond to her? 18:46:26 A. Yes. 18:46:27 Q. Okay. And that's the next 18:46:28 e-mail chain here, Thursday, August 11th, at 18:46:29 8:56 a.m.; is that right? 18:46:34	2 3 4 5 6 7 8 9 10	A. Yes, if a pharmacy was named. 18:48:08 Q. If a pharmacy was named. Okay. 18:48:09 What about if a physician was 18:48:11 named? 18:48:12 A. In at some point in our 18:48:13 program, yes, but not not at the current 18:48:21 time. 18:48:25 Q. Okay. And what was the period 18:48:26 of time that you would do a chargeback lookup 18:48:27 if a physician was named? 18:48:30
2 3 4 5 6 7 8 9 10 11	A. Yes. 18:46:13 Q. Okay. So then Eileen says, as 18:46:16 we just said, going back to this, it looks 18:46:20 like basically there's a lot of hits there. 18:46:22 Is that usual. 18:46:25 Did you respond to her? 18:46:26 A. Yes. 18:46:27 Q. Okay. And that's the next 18:46:28 e-mail chain here, Thursday, August 11th, at 18:46:29 8:56 a.m.; is that right? 18:46:34 A. Yes. 18:46:36	2 3 4 5 6 7 8 9 10 11	A. Yes, if a pharmacy was named. 18:48:08 Q. If a pharmacy was named. Okay. 18:48:09 What about if a physician was 18:48:11 named? 18:48:12 A. In at some point in our 18:48:13 program, yes, but not not at the current 18:48:21 time. 18:48:25 Q. Okay. And what was the period 18:48:26 of time that you would do a chargeback lookup 18:48:27 if a physician was named? 18:48:30 A. I don't know I don't know 18:48:31
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. Yes. 18:46:13 Q. Okay. So then Eileen says, as 18:46:16 we just said, going back to this, it looks 18:46:20 like basically there's a lot of hits there. 18:46:22 Is that usual. 18:46:25 Did you respond to her? 18:46:26 A. Yes. 18:46:27 Q. Okay. And that's the next 18:46:28 e-mail chain here, Thursday, August 11th, at 18:46:29 8:56 a.m.; is that right? 18:46:34 A. Yes. 18:46:36 Q. Okay. And so in this e-mail 18:46:36 you say, "The amount of hits is correct; 18:46:38 however, important note: Not all articles 18:46:40 require any kind of chargeback lookup 18:46:42 whatsoever." 18:46:46	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. Yes, if a pharmacy was named. 18:48:08 Q. If a pharmacy was named. Okay. 18:48:09 What about if a physician was 18:48:11 named? 18:48:12 A. In at some point in our 18:48:13 program, yes, but not not at the current 18:48:21 time. 18:48:25 Q. Okay. And what was the period 18:48:26 of time that you would do a chargeback lookup 18:48:27 if a physician was named? 18:48:30 A. I don't know I don't know 18:48:31 the span of time. 18:48:33 Q. Okay. Do you know for how long 18:48:34 it was? Months? Years? Weeks? 18:48:36 A. Months. I can't say years. 18:48:39 Months up to up to a year or so. 18:48:46
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. Yes. 18:46:13 Q. Okay. So then Eileen says, as 18:46:16 we just said, going back to this, it looks 18:46:20 like basically there's a lot of hits there. 18:46:22 Is that usual. 18:46:25 Did you respond to her? 18:46:26 A. Yes. 18:46:27 Q. Okay. And that's the next 18:46:28 e-mail chain here, Thursday, August 11th, at 18:46:29 8:56 a.m.; is that right? 18:46:34 A. Yes. 18:46:36 Q. Okay. And so in this e-mail 18:46:36 you say, "The amount of hits is correct; 18:46:38 however, important note: Not all articles 18:46:40 require any kind of chargeback lookup 18:46:42 whatsoever." 18:46:46 So let's back up a little bit 18:46:47 before we get there. 18:46:49	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. Yes, if a pharmacy was named. 18:48:08 Q. If a pharmacy was named. Okay. 18:48:09 What about if a physician was 18:48:11 named? 18:48:12 A. In at some point in our 18:48:13 program, yes, but not not at the current 18:48:21 time. 18:48:25 Q. Okay. And what was the period 18:48:26 of time that you would do a chargeback lookup 18:48:27 if a physician was named? 18:48:30 A. I don't know I don't know 18:48:31 the span of time. 18:48:33 Q. Okay. Do you know for how long 18:48:34 it was? Months? Years? Weeks? 18:48:36 A. Months. I can't say years. 18:48:39 Months up to up to a year or so. 18:48:46 Q. Okay. But you don't remember 18:48:49 the time period when that happened? 18:48:50 A. No. 18:48:53
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Yes. 18:46:13 Q. Okay. So then Eileen says, as 18:46:16 we just said, going back to this, it looks 18:46:20 like basically there's a lot of hits there. 18:46:22 Is that usual. 18:46:25  Did you respond to her? 18:46:26 A. Yes. 18:46:27 Q. Okay. And that's the next 18:46:28 e-mail chain here, Thursday, August 11th, at 18:46:29 8:56 a.m.; is that right? 18:46:34 A. Yes. 18:46:36 Q. Okay. And so in this e-mail 18:46:36 you say, "The amount of hits is correct; 18:46:38 however, important note: Not all articles 18:46:40 require any kind of chargeback lookup 18:46:42 whatsoever." 18:46:45 So let's back up a little bit 18:46:47 before we get there. 18:46:48 So you say, "The amount is 18:46:49 correct." Let's start with that. 18:46:51	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Yes, if a pharmacy was named. 18:48:08 Q. If a pharmacy was named. Okay. 18:48:09 What about if a physician was 18:48:11 named? 18:48:12 A. In at some point in our 18:48:13 program, yes, but not not at the current 18:48:21 time. 18:48:25 Q. Okay. And what was the period 18:48:26 of time that you would do a chargeback lookup 18:48:27 if a physician was named? 18:48:30 A. I don't know I don't know 18:48:31 the span of time. 18:48:33 Q. Okay. Do you know for how long 18:48:34 it was? Months? Years? Weeks? 18:48:36 A. Months. I can't say years. 18:48:39 Months up to up to a year or so. 18:48:49 the time period when that happened? 18:48:50 A. No. 18:48:53 Q. And do you know why that 18:48:53
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Yes. 18:46:13 Q. Okay. So then Eileen says, as 18:46:16 we just said, going back to this, it looks 18:46:20 like basically there's a lot of hits there. 18:46:22 Is that usual. 18:46:25 Did you respond to her? 18:46:26 A. Yes. 18:46:27 Q. Okay. And that's the next 18:46:28 e-mail chain here, Thursday, August 11th, at 18:46:29 8:56 a.m.; is that right? 18:46:34 A. Yes. 18:46:36 Q. Okay. And so in this e-mail 18:46:36 you say, "The amount of hits is correct; 18:46:38 however, important note: Not all articles 18:46:40 require any kind of chargeback lookup 18:46:42 whatsoever." 18:46:46 So let's back up a little bit 18:46:47 before we get there. 18:46:48 So you say, "The amount is 18:46:49 correct." Let's start with that. 18:46:51 There are, gosh, one, two 18:46:54	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Yes, if a pharmacy was named. 18:48:08 Q. If a pharmacy was named. Okay. 18:48:09 What about if a physician was 18:48:11 named? 18:48:12 A. In at some point in our 18:48:13 program, yes, but not not at the current 18:48:21 time. 18:48:25 Q. Okay. And what was the period 18:48:26 of time that you would do a chargeback lookup 18:48:27 if a physician was named? 18:48:30 A. I don't know I don't know 18:48:31 the span of time. 18:48:33 Q. Okay. Do you know for how long 18:48:34 it was? Months? Years? Weeks? 18:48:39 Months up to up to a year or so. 18:48:49 the time period when that happened? 18:48:50 A. No. 18:48:53 Q. And do you know why that 18:48:53 practice was discontinued? 18:48:56
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Yes. 18:46:13 Q. Okay. So then Eileen says, as 18:46:16 we just said, going back to this, it looks 18:46:20 like basically there's a lot of hits there. 18:46:22 Is that usual. 18:46:25  Did you respond to her? 18:46:26 A. Yes. 18:46:27 Q. Okay. And that's the next 18:46:28 e-mail chain here, Thursday, August 11th, at 18:46:29 8:56 a.m.; is that right? 18:46:34 A. Yes. 18:46:36 Q. Okay. And so in this e-mail 18:46:36 you say, "The amount of hits is correct; 18:46:38 however, important note: Not all articles 18:46:40 require any kind of chargeback lookup 18:46:42 whatsoever." 18:46:46 So let's back up a little bit 18:46:47 before we get there. 18:46:49 correct." Let's start with that. 18:46:51 There are, gosh, one, two 18:46:54 nine and a half, roughly, pages of Google 18:47:05	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Yes, if a pharmacy was named. 18:48:08 Q. If a pharmacy was named. Okay. 18:48:09 What about if a physician was 18:48:11 named? 18:48:12 A. In at some point in our 18:48:13 program, yes, but not not at the current 18:48:21 time. 18:48:25 Q. Okay. And what was the period 18:48:26 of time that you would do a chargeback lookup 18:48:27 if a physician was named? 18:48:30 A. I don't know I don't know 18:48:31 the span of time. 18:48:33 Q. Okay. Do you know for how long 18:48:34 it was? Months? Years? Weeks? 18:48:36 A. Months. I can't say years. 18:48:39 Months up to up to a year or so. 18:48:46 Q. Okay. But you don't remember 18:48:49 the time period when that happened? 18:48:50 A. No. 18:48:53 Q. And do you know why that 18:48:53 practice was discontinued? 18:48:56 A. The answer may require 18:48:58
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Yes. 18:46:13 Q. Okay. So then Eileen says, as 18:46:16 we just said, going back to this, it looks 18:46:20 like basically there's a lot of hits there. 18:46:22 Is that usual. 18:46:25 Did you respond to her? 18:46:26 A. Yes. 18:46:27 Q. Okay. And that's the next 18:46:28 e-mail chain here, Thursday, August 11th, at 18:46:29 8:56 a.m.; is that right? 18:46:34 A. Yes. 18:46:36 Q. Okay. And so in this e-mail 18:46:36 you say, "The amount of hits is correct; 18:46:38 however, important note: Not all articles 18:46:40 require any kind of chargeback lookup 18:46:42 whatsoever." 18:46:46 So let's back up a little bit 18:46:47 before we get there. 18:46:48 So you say, "The amount is 18:46:49 correct." Let's start with that. 18:46:51 There are, gosh, one, two 18:46:54	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Yes, if a pharmacy was named. 18:48:08 Q. If a pharmacy was named. Okay. 18:48:09 What about if a physician was 18:48:11 named? 18:48:12 A. In at some point in our 18:48:13 program, yes, but not not at the current 18:48:21 time. 18:48:25 Q. Okay. And what was the period 18:48:26 of time that you would do a chargeback lookup 18:48:27 if a physician was named? 18:48:30 A. I don't know I don't know 18:48:31 the span of time. 18:48:33 Q. Okay. Do you know for how long 18:48:34 it was? Months? Years? Weeks? 18:48:39 Months up to up to a year or so. 18:48:49 the time period when that happened? 18:48:50 A. No. 18:48:53 Q. And do you know why that 18:48:53 practice was discontinued? 18:48:56

	Page 478		Page 480
1	I'll instruct the witness not to 18:49:10	1	A. It's it was active in the 18:50:57
2	answer to the extent it requires 18:49:11	2	early part of 2012 18:51:02
3	revealing communications with a 18:49:13	3	Q. Okay. 18:51:03
4	lawyer. 18:49:14	4	A but I just don't know 18:51:04
5	QUESTIONS BY MS. HERZFELD: 18:49:15	5	specifically when it started before that or 18:51:06
6	Q. Can you answer the question 18:49:16	6	ended after that. 18:51:08
7	without telling me what your lawyers told 18:49:17	7	Q. Okay. Great. 18:51:10
8	you? 18:49:20	8	Okay. So going back to what we 18:51:13
9	A. I cannot. 18:49:20	9	have here. So you said pharmacy would 18:51:15
10	Q. Okay. So I'll take it 18:49:28	10	require a chargeback look. If there was a 18:51:18
11	A. I'm sorry. 18:49:29	11	pharmacy name in Google Alert, that would 18:51:21
12	Q. That's okay. 18:49:29	12	require a chargeback look from your team; is 18:51:24
13	So when I ask, at some point 18:49:29	13	that right? 18:51:27
14	did it change looking at chargeback 18:49:32	14	A. Yes. 18:51:27
15	information when the mention of doctors were 18:49:34	15	Q. Okay. And if physician named, 18:51:27
16	in these Google hits or the Google news 18:49:37	16	for a short period of time you did a search 18:51:29
17	alerts, you're asserting attorney-client 18:49:40	17	for physician information, if they were 18:51:33
18	privilege to answer that question? 18:49:43	18	named? 18:51:36
19	A. Yes, I am. 18:49:44	19	A. Yes. 18:51:36
20	Q. Okay. And your attorney has 18:49:45	20	Q. Okay. And what type of search 18:51:37
21	advised you to assert attorney-client 18:49:46	21	would you do for physicians? 18:51:39
22	privilege to this question, and you're taking 18:49:49	22	A. So we were that was when we 18:51:41
23	his advice? 18:49:53	23	were looking at IMS data. 18:51:43
24	A. Correct. 18:49:53	24	Q. Okay. 18:51:45
25	Q. Okay. Okay. So there's no 18:49:54	25	A. And an internal group provided 18:51:46
	P 450		7 101
	Page 479		Page 481
1	other way you could answer that without 18:49:55	1	us a list of physicians that were the highest 18:51:54
	• •		1 6 1 11 1 1 10 71 76
2	telling me what your attorney said? 18:49:56	2	prescribers of oxycodone within the country. 18:51:56
3	telling me what your attorney said? 18:49:56 A. No. 18:49:58	3	Q. Okay. And you said an internal 18:51:58
3 4	telling me what your attorney said? 18:49:56  A. No. 18:49:58  Q. Okay. Do you know if the 18:50:00	3 4	Q. Okay. And you said an internal 18:51:58 group provided you that list of physicians. 18:52:01
3 4 5	telling me what your attorney said? 18:49:56  A. No. 18:49:58  Q. Okay. Do you know if the 18:50:00 decision to stop monitoring physicians for 18:50:04	3 4 5	Q. Okay. And you said an internal 18:51:58 group provided you that list of physicians. 18:52:01 What was the name of the 18:52:03
3 4 5 6	telling me what your attorney said? 18:49:56  A. No. 18:49:58  Q. Okay. Do you know if the 18:50:00 decision to stop monitoring physicians for 18:50:04 chargeback data when you've gotten an alert 18:50:09	3 4 5 6	Q. Okay. And you said an internal 18:51:58 group provided you that list of physicians. 18:52:01 What was the name of the 18:52:03 internal group? 18:52:05
3 4 5 6 7	telling me what your attorney said? 18:49:56  A. No. 18:49:58  Q. Okay. Do you know if the 18:50:00  decision to stop monitoring physicians for 18:50:04  chargeback data when you've gotten an alert 18:50:09  from Google, if that happened within the past 18:50:13	3 4 5 6 7	Q. Okay. And you said an internal 18:51:58 group provided you that list of physicians. 18:52:01 What was the name of the 18:52:03 internal group? 18:52:05 A. Oh, gosh, I can't remember. 18:52:07
3 4 5 6 7 8	telling me what your attorney said? 18:49:56  A. No. 18:49:58  Q. Okay. Do you know if the 18:50:00 decision to stop monitoring physicians for 18:50:04 chargeback data when you've gotten an alert 18:50:09 from Google, if that happened within the past 18:50:13 two years? 18:50:15	3 4 5 6 7 8	Q. Okay. And you said an internal 18:51:58 group provided you that list of physicians. 18:52:01 What was the name of the 18:52:03 internal group? 18:52:05 A. Oh, gosh, I can't remember. 18:52:07 Q. Okay. Do you remember who was 18:52:09
3 4 5 6 7 8	telling me what your attorney said? 18:49:56  A. No. 18:49:58  Q. Okay. Do you know if the 18:50:00 decision to stop monitoring physicians for 18:50:04 chargeback data when you've gotten an alert 18:50:09 from Google, if that happened within the past 18:50:13 two years? 18:50:15  A. It did not. 18:50:16	3 4 5 6 7 8	Q. Okay. And you said an internal 18:51:58 group provided you that list of physicians. 18:52:01 What was the name of the 18:52:03 internal group? 18:52:05 A. Oh, gosh, I can't remember. 18:52:07 Q. Okay. Do you remember who was 18:52:09 on it? 18:52:11
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3 4 5 6 7 8 9 10	telling me what your attorney said?  A. No. 18:49:58  Q. Okay. Do you know if the 18:50:00  decision to stop monitoring physicians for 18:50:04  chargeback data when you've gotten an alert 18:50:09  from Google, if that happened within the past 18:50:13  two years? 18:50:15  A. It did not. 18:50:16  Q. Okay. Do you know if it 18:50:17  happened in the last five years? 18:50:18	3 4 5 6 7 8 9 10 11	Q. Okay. And you said an internal 18:51:58 group provided you that list of physicians. 18:52:01 What was the name of the 18:52:03 internal group? 18:52:05 A. Oh, gosh, I can't remember. 18:52:07 Q. Okay. Do you remember who was 18:52:09 on it? 18:52:11 A. Yes. 18:52:12 Q. Okay. Could you tell me the 18:52:13
3 4 5 6 7 8 9 10 11 12	telling me what your attorney said?  A. No. 18:49:58  Q. Okay. Do you know if the 18:50:00 decision to stop monitoring physicians for 18:50:04 chargeback data when you've gotten an alert 18:50:09 from Google, if that happened within the past 18:50:13 two years? 18:50:15  A. It did not. 18:50:16 Q. Okay. Do you know if it 18:50:17 happened in the last five years? 18:50:18  A. I'm aware that I'm under oath, 18:50:21	3 4 5 6 7 8 9 10 11	Q. Okay. And you said an internal 18:51:58 group provided you that list of physicians. 18:52:01 What was the name of the 18:52:03 internal group? 18:52:05 A. Oh, gosh, I can't remember. 18:52:07 Q. Okay. Do you remember who was 18:52:09 on it? 18:52:11 A. Yes. 18:52:12 Q. Okay. Could you tell me the 18:52:13 name? 18:52:14
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3 4 5 6 7 8 9 10 11 12 13 14 15 16	telling me what your attorney said?  A. No. 18:49:58  Q. Okay. Do you know if the 18:50:00  decision to stop monitoring physicians for 18:50:04  chargeback data when you've gotten an alert 18:50:09  from Google, if that happened within the past 18:50:13  two years? 18:50:15  A. It did not. 18:50:16  Q. Okay. Do you know if it 18:50:17  happened in the last five years? 18:50:18  A. I'm aware that I'm under oath, 18:50:21  and I apologize, I'm just terrible with my 18:50:23  dates and years, as we've heard all day long. 18:50:25  So I can't you continue and I 18:50:28  appreciate you're trying to help me with a 18:50:32	3 4 5 6 7 8 9 10 11 12 13 14 15	Q. Okay. And you said an internal 18:51:58 group provided you that list of physicians. 18:52:01 What was the name of the 18:52:03 internal group? 18:52:05 A. Oh, gosh, I can't remember. 18:52:07 Q. Okay. Do you remember who was 18:52:09 on it? 18:52:11 A. Yes. 18:52:12 Q. Okay. Could you tell me the 18:52:13 name? 18:52:14 A. Certainly. There was a lady 18:52:14 named Tammy Fraley and a gentleman named 18:52:15 Jeremy Stammer. 18:52:20 Q. Okay. And they would provide 18:52:23
3 4 4 5 6 7 8 9 10 11 12 13 14 15 16 17	telling me what your attorney said?  A. No. 18:49:58  Q. Okay. Do you know if the 18:50:00 decision to stop monitoring physicians for 18:50:04 chargeback data when you've gotten an alert 18:50:09 from Google, if that happened within the past 18:50:13 two years? 18:50:15  A. It did not. 18:50:16  Q. Okay. Do you know if it 18:50:17 happened in the last five years? 18:50:18  A. I'm aware that I'm under oath, 18:50:21 and I apologize, I'm just terrible with my 18:50:23 dates and years, as we've heard all day long. 18:50:25 So I can't you continue and I 18:50:28 appreciate you're trying to help me with a 18:50:32 frame of reference in time, but I can't 18:50:34	3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Okay. And you said an internal 18:51:58 group provided you that list of physicians. 18:52:01 What was the name of the 18:52:03 internal group? 18:52:05 A. Oh, gosh, I can't remember. 18:52:07 Q. Okay. Do you remember who was 18:52:09 on it? 18:52:11 A. Yes. 18:52:12 Q. Okay. Could you tell me the 18:52:13 name? 18:52:14 A. Certainly. There was a lady 18:52:14 named Tammy Fraley and a gentleman named 18:52:15 Jeremy Stammer. 18:52:20 Q. Okay. And they would provide 18:52:23 you a list of the top prescribing oxycodone 18:52:26
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	telling me what your attorney said?  A. No. 18:49:58  Q. Okay. Do you know if the 18:50:00 decision to stop monitoring physicians for 18:50:04 chargeback data when you've gotten an alert 18:50:09 from Google, if that happened within the past 18:50:13 two years? 18:50:15  A. It did not. 18:50:16  Q. Okay. Do you know if it 18:50:17 happened in the last five years? 18:50:18  A. I'm aware that I'm under oath, 18:50:21 and I apologize, I'm just terrible with my 18:50:23 dates and years, as we've heard all day long. 18:50:25 So I can't you continue and I 18:50:32 frame of reference in time, but I can't 18:50:34 answer the question. 18:50:36	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q. Okay. And you said an internal 18:51:58 group provided you that list of physicians. 18:52:01 What was the name of the 18:52:03 internal group? 18:52:05 A. Oh, gosh, I can't remember. 18:52:07 Q. Okay. Do you remember who was 18:52:09 on it? 18:52:11 A. Yes. 18:52:12 Q. Okay. Could you tell me the 18:52:13 name? 18:52:14 A. Certainly. There was a lady 18:52:14 named Tammy Fraley and a gentleman named 18:52:15 Jeremy Stammer. 18:52:20 Q. Okay. And they would provide 18:52:23 you a list of the top prescribing oxycodone 18:52:26 physicians within the country? 18:52:30
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	telling me what your attorney said?  A. No. 18:49:58  Q. Okay. Do you know if the 18:50:00 decision to stop monitoring physicians for 18:50:04 chargeback data when you've gotten an alert 18:50:09 from Google, if that happened within the past 18:50:13 two years? 18:50:15  A. It did not. 18:50:16  Q. Okay. Do you know if it 18:50:17 happened in the last five years? 18:50:18  A. I'm aware that I'm under oath, 18:50:21 and I apologize, I'm just terrible with my 18:50:23 dates and years, as we've heard all day long. 18:50:25 So I can't you continue and I 18:50:32 frame of reference in time, but I can't 18:50:34 answer the question. 18:50:36  Q. If you can't answer it, you 18:50:36	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. Okay. And you said an internal 18:51:58 group provided you that list of physicians. 18:52:01 What was the name of the 18:52:03 internal group? 18:52:05 A. Oh, gosh, I can't remember. 18:52:07 Q. Okay. Do you remember who was 18:52:09 on it? 18:52:11 A. Yes. 18:52:12 Q. Okay. Could you tell me the 18:52:13 name? 18:52:14 A. Certainly. There was a lady 18:52:14 named Tammy Fraley and a gentleman named 18:52:15 Jeremy Stammer. 18:52:20 Q. Okay. And they would provide 18:52:23 you a list of the top prescribing oxycodone 18:52:26 physicians within the country? 18:52:30 A. Yes. 18:52:32
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3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	telling me what your attorney said?  A. No. 18:49:58  Q. Okay. Do you know if the 18:50:00 decision to stop monitoring physicians for 18:50:04 chargeback data when you've gotten an alert 18:50:09 from Google, if that happened within the past 18:50:13 two years? 18:50:15  A. It did not. 18:50:16  Q. Okay. Do you know if it 18:50:17 happened in the last five years? 18:50:18  A. I'm aware that I'm under oath, 18:50:21 and I apologize, I'm just terrible with my 18:50:23 dates and years, as we've heard all day long. 18:50:25 So I can't you continue and I 18:50:32 frame of reference in time, but I can't 18:50:34 answer the question. 18:50:36  Q. If you can't answer it, you 18:50:36 can't answer it. I'm just trying to figure 18:50:39 out if it was very you know, at the 18:50:40	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Okay. And you said an internal 18:51:58 group provided you that list of physicians. 18:52:01 What was the name of the 18:52:03 internal group? 18:52:05 A. Oh, gosh, I can't remember. 18:52:07 Q. Okay. Do you remember who was 18:52:09 on it? 18:52:11 A. Yes. 18:52:12 Q. Okay. Could you tell me the 18:52:13 name? 18:52:14 A. Certainly. There was a lady 18:52:14 named Tammy Fraley and a gentleman named 18:52:15 Jeremy Stammer. 18:52:20 Q. Okay. And they would provide 18:52:23 you a list of the top prescribing oxycodone 18:52:26 physicians within the country? 18:52:30 A. Yes. 18:52:32 Q. Okay. And what would you do 18:52:33 with that list? 18:52:34
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3 4 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	telling me what your attorney said?  A. No. 18:49:58  Q. Okay. Do you know if the 18:50:00 decision to stop monitoring physicians for 18:50:04 chargeback data when you've gotten an alert 18:50:09 from Google, if that happened within the past 18:50:13 two years? 18:50:15  A. It did not. 18:50:16  Q. Okay. Do you know if it 18:50:17 happened in the last five years? 18:50:18  A. I'm aware that I'm under oath, 18:50:21 and I apologize, I'm just terrible with my 18:50:23 dates and years, as we've heard all day long. 18:50:25 So I can't you continue and I 18:50:32 frame of reference in time, but I can't 18:50:34 answer the question. 18:50:36  Q. If you can't answer it, you 18:50:39 out if it was very you know, at the 18:50:40 beginning, in like 2007, or if we're talking 18:50:42 in 2018. 18:50:45	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Okay. And you said an internal 18:51:58 group provided you that list of physicians. 18:52:01 What was the name of the 18:52:03 internal group? 18:52:05 A. Oh, gosh, I can't remember. 18:52:07 Q. Okay. Do you remember who was 18:52:09 on it? 18:52:11 A. Yes. 18:52:12 Q. Okay. Could you tell me the 18:52:13 name? 18:52:14 A. Certainly. There was a lady 18:52:14 named Tammy Fraley and a gentleman named 18:52:15 Jeremy Stammer. 18:52:20 Q. Okay. And they would provide 18:52:23 you a list of the top prescribing oxycodone 18:52:26 physicians within the country? 18:52:30 A. Yes. 18:52:32 Q. Okay. And what would you do 18:52:33 with that list? 18:52:34 A. If we learned the name of a 18:52:35 physician for that period of time we were 18:52:39
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	telling me what your attorney said?  A. No. 18:49:58  Q. Okay. Do you know if the 18:50:00 decision to stop monitoring physicians for 18:50:04 chargeback data when you've gotten an alert 18:50:09 from Google, if that happened within the past 18:50:13 two years? 18:50:15  A. It did not. 18:50:16  Q. Okay. Do you know if it 18:50:17 happened in the last five years? 18:50:18  A. I'm aware that I'm under oath, 18:50:21 and I apologize, I'm just terrible with my 18:50:23 dates and years, as we've heard all day long. 18:50:25 So I can't you continue and I 18:50:32 frame of reference in time, but I can't 18:50:34 answer the question. 18:50:36  Q. If you can't answer it, you 18:50:39 out if it was very you know, at the 18:50:40 beginning, in like 2007, or if we're talking 18:50:42	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Okay. And you said an internal 18:51:58 group provided you that list of physicians. 18:52:01 What was the name of the 18:52:03 internal group? 18:52:05 A. Oh, gosh, I can't remember. 18:52:07 Q. Okay. Do you remember who was 18:52:09 on it? 18:52:11 A. Yes. 18:52:12 Q. Okay. Could you tell me the 18:52:13 name? 18:52:14 A. Certainly. There was a lady 18:52:14 named Tammy Fraley and a gentleman named 18:52:15 Jeremy Stammer. 18:52:20 Q. Okay. And they would provide 18:52:23 you a list of the top prescribing oxycodone 18:52:30 A. Yes. 18:52:32 Q. Okay. And what would you do 18:52:33 with that list? 18:52:34 A. If we learned the name of a 18:52:35

1	Page 482		Page 484
1	distributor customers about their due 18:52:49	1	in, you said you thought, a matter of months, 18:54:26
2	diligence with the downstream registrants, 18:52:53	2	maybe a year. It wasn't something that went 18:54:29
3	the pharmacies, sometimes they had gathered 18:52:55	3	on for years and years? 18:54:30
4	information on who the top prescribers were 18:52:59	4	A. Yes, that's my approximation, 18:54:31
5	at a pharmacy. 18:53:02	5	yes. 18:54:33
6	Q. Okay. 18:53:03	6	Q. Okay. Great. 18:54:33
7	A. So then we'd compare that name 18:53:03	7	Okay? And you'd also said in 18:54:33
8	to our list of top prescribers. 18:53:06	8	earlier testimony that someone from your team 18:54:39
9	Q. Okay. And then if you found 18:53:08	9	or you would review the Federal Register 18:54:41
10	that person on the list of top prescribers, 18:53:10	10	every day; is that correct? 18:54:46
11	what, if anything, would you do? 18:53:13	11	MR. O'CONNOR: Objection to 18:54:46
12	A. It was a pardon me. 18:53:14	12	form. 18:54:47
13	Q. It's okay. 18:53:16	13	THE WITNESS: Yes. 18:54:47
14	A. It was a contributing factor to 18:53:16	14	QUESTIONS BY MS. HERZFELD: 18:54:47
15	whether we it was another factor in 18:53:20	15	Q. Okay. And in those Federal 18:54:49
16	evaluating whether we would restrict the 18:53:23	16	Register updates, there are updates to the 18:54:53
17	payment of chargebacks to that pharmacy. 18:53:27	17	Federal Codes of Regulations; is that right? 18:54:54
18	Q. Okay. So I just want to make 18:53:30	18	A. Yes. 18:54:56
19	sure that I'm understanding this correctly. 18:53:31	19	Q. Okay. And there are also, from 18:54:57
20	So for a relatively short 18:53:33	20	time to time, updates of, for example, 18:54:58
21	period of time, somewhere maybe around 18:53:35	21	physicians who have been indicted; is that 18:55:00
22	2012 18:53:37	22	correct? 18:55:02
23	A. Yes. 18:53:39	23	A. Yes. 18:55:02
24	Q. Okay. When you'd receive a 18:53:40	24	Q. Okay. And so would you review 18:55:03
25	Google Alert or other information from a 18:53:42	25	those Federal Register documents for 18:55:05
	Page 483		Page 485
1	distributor's pharmacy or from their 18:53:48	1	physicians that had been indicted or arrested 18:55:10
2	information about a physician, you also had a 18:53:49	2	for anything involving prescription opioids? 18:55:13
3	list from an internal group that was the 18:53:52	3	A. Yes. 18:55:17
4	highest prescribers of oxycodone, and you 18:53:55	4	Q. Okay. And what would you do 18:55:18
5	would compare the two and use those as a 18:53:57	5	with that information if you saw it? 18:55:20
6	factor in making a determination of whether 18:54:01	6	A. So that would have been during 18:55:21
7	you were giving chargebacks? 18:54:02	7	the same amount of time. 18:55:26
8	MR. O'CONNOR: Objection to 18:54:04	8	Q. Okay. 18:55:28
9	form. 18:54:05	9	A. If we're reviewing information 18:55:28
10	THE WITNESS: Paying 18:54:05	10	gathered by any source that named a 18:55:30
11	chargebacks, yes. 18:54:06	11	prescriber, we were we were comparing that 18:55:31
_	chargebacks, yes. 18:54:06		
12	QUESTIONS BY MS. HERZFELD: 18:54:07	12	to the top prescriber listing of that had 18:55:34
		12 13	to the top prescriber listing of that had 18:55:34 been supplied to us. 18:55:38
12	QUESTIONS BY MS. HERZFELD: 18:54:07		
12 13	QUESTIONS BY MS. HERZFELD: 18:54:07 Q. Okay. Paying chargebacks 18:54:07	13	been supplied to us. 18:55:38
12 13 14	QUESTIONS BY MS. HERZFELD: 18:54:07 Q. Okay. Paying chargebacks 18:54:07 A. Yes, ma'am. 18:54:08	13 14	been supplied to us. 18:55:38  Q. Okay. But once that that 18:55:39
12 13 14 15	QUESTIONS BY MS. HERZFELD: 18:54:07 Q. Okay. Paying chargebacks 18:54:07 A. Yes, ma'am. 18:54:08 Q not giving chargebacks. 18:54:09	13 14 15	been supplied to us. 18:55:38  Q. Okay. But once that that 18:55:39 short-term practice ended, did you continue 18:55:41
12 13 14 15 16	QUESTIONS BY MS. HERZFELD:       18:54:07         Q. Okay. Paying chargebacks 18:54:07         A. Yes, ma'am. 18:54:08         Q not giving chargebacks. 18:54:09         A. Yes. 18:54:10	13 14 15 16	been supplied to us. 18:55:38  Q. Okay. But once that that 18:55:39 short-term practice ended, did you continue 18:55:41 to do that? 18:55:44
12 13 14 15 16	QUESTIONS BY MS. HERZFELD: 18:54:07  Q. Okay. Paying chargebacks - 18:54:07  A. Yes, ma'am. 18:54:08  Q not giving chargebacks. 18:54:09  A. Yes. 18:54:10  Q. Okay. I just wanted to make 18:54:10	13 14 15 16 17	been supplied to us. 18:55:38  Q. Okay. But once that that 18:55:39 short-term practice ended, did you continue 18:55:41 to do that? 18:55:44  A. No. 18:55:45
12 13 14 15 16 17	QUESTIONS BY MS. HERZFELD: 18:54:07  Q. Okay. Paying chargebacks 18:54:07  A. Yes, ma'am. 18:54:08  Q not giving chargebacks. 18:54:09  A. Yes. 18:54:10  Q. Okay. I just wanted to make 18:54:10  sure I understood that. 18:54:12	13 14 15 16 17 18	been supplied to us. 18:55:38  Q. Okay. But once that that 18:55:39  short-term practice ended, did you continue 18:55:41  to do that? 18:55:44  A. No. 18:55:45  Q. Okay. Okay. And when you 18:55:46
12 13 14 15 16 17 18	QUESTIONS BY MS. HERZFELD: 18:54:07  Q. Okay. Paying chargebacks 18:54:07  A. Yes, ma'am. 18:54:08  Q not giving chargebacks. 18:54:09  A. Yes. 18:54:10  Q. Okay. I just wanted to make 18:54:10  sure I understood that. 18:54:12  But then that practice was 18:54:13	13 14 15 16 17 18 19	been supplied to us. 18:55:38  Q. Okay. But once that that 18:55:39  short-term practice ended, did you continue 18:55:41  to do that? 18:55:44  A. No. 18:55:45  Q. Okay. Okay. And when you 18:55:46  would receive these Google Alerts and it 18:56:01
12 13 14 15 16 17 18 19	QUESTIONS BY MS. HERZFELD: 18:54:07  Q. Okay. Paying chargebacks 18:54:07  A. Yes, ma'am. 18:54:08  Q not giving chargebacks. 18:54:09  A. Yes. 18:54:10  Q. Okay. I just wanted to make 18:54:10  sure I understood that. 18:54:12  But then that practice was 18:54:13  discontinued after a relatively short period 18:54:14	13 14 15 16 17 18 19	been supplied to us. 18:55:38  Q. Okay. But once that that 18:55:39 short-term practice ended, did you continue 18:55:41 to do that? 18:55:44  A. No. 18:55:45 Q. Okay. Okay. And when you 18:55:46 would receive these Google Alerts and it 18:56:01 would talk about pharmacies, would you look 18:56:02
12 13 14 15 16 17 18 19 20 21	QUESTIONS BY MS. HERZFELD: 18:54:07  Q. Okay. Paying chargebacks 18:54:07  A. Yes, ma'am. 18:54:08  Q not giving chargebacks. 18:54:09  A. Yes. 18:54:10  Q. Okay. I just wanted to make 18:54:10  sure I understood that. 18:54:12  But then that practice was 18:54:13  discontinued after a relatively short period 18:54:14  of time? 18:54:17  A. Again, I don't know the stop 18:54:17  and the start date or how long we used that 18:54:19	13 14 15 16 17 18 19 20 21	been supplied to us.  Q. Okay. But once that that 18:55:39 short-term practice ended, did you continue 18:55:41 to do that? 18:55:44 A. No. 18:55:45 Q. Okay. Okay. And when you 18:55:46 would receive these Google Alerts and it 18:56:01 would talk about pharmacies, would you look 18:56:02 at the area that the pharmacy was in? 18:56:06 A. Yes. 18:56:09 Q. Okay. And what information 18:56:11
12 13 14 15 16 17 18 19 20 21 22	QUESTIONS BY MS. HERZFELD: 18:54:07  Q. Okay. Paying chargebacks 18:54:07  A. Yes, ma'am. 18:54:08  Q not giving chargebacks. 18:54:09  A. Yes. 18:54:10  Q. Okay. I just wanted to make 18:54:10  sure I understood that. 18:54:12  But then that practice was 18:54:13  discontinued after a relatively short period 18:54:14  of time? 18:54:17  A. Again, I don't know the stop 18:54:17	13 14 15 16 17 18 19 20 21 22	been supplied to us.  Q. Okay. But once that that 18:55:39 short-term practice ended, did you continue 18:55:41 to do that? 18:55:44 A. No. 18:55:45 Q. Okay. Okay. And when you 18:55:46 would receive these Google Alerts and it 18:56:01 would talk about pharmacies, would you look 18:56:02 at the area that the pharmacy was in? 18:56:06 A. Yes. 18:56:09

	Page 486		Page 488
1	A. So I'd like to clarify. It was 18:56:14	1	back and says, "Okay, thank you. I didn't do 18:58:04
2	more so the pharmacy name 18:56:22	2	much with them, as Carrie started the project 18:58:06
3	Q. Okay. 18:56:23	3	and then Jen took it over and just wanted to 18:58:08
4	A and that would prompt us to 18:56:23	4	double-check." 18:58:11
5	look through our chargebacks. And if there 18:56:25	5	That seems correct with your 18:58:11
6	was a nexus of the city and states in the 18:56:30	6	memory? 18:58:13
7	case of Joe's Pharmacy, if the Google Alert 18:56:32	7	A. Yes. 18:58:13
8	said the same city and state as was 18:56:34	8	Q. Okay. And so going back to the 18:58:14
9	referenced in our chargeback information, we 18:56:37	9	section of the e-mail where you're talking 18:58:15
10	knew that there was a correlation. 18:56:40	10	about the amount of hits is correct? 18:58:17
11	Q. Okay. But if it said, for 18:56:41	11	A. Yes. 18:58:21
12	example, Joe's Pharmacy in Rocky Top, 18:56:45	12	Q. Yes. Okay. 18:58:22
13	Tennessee, did you go and do any research on 18:56:50	13	So when you respond to her 18:58:23
14	Rocky Top, Tennessee, other than to verify 18:56:52	14	about we're looking at pharmacy name and 18:58:25
15	that Joe's Pharmacy was in Rocky Top, 18:56:55	15	address, you don't mention physician or 18:58:26
16	Tennessee? 18:56:57	16	location, those things we just talked about. 18:58:30
17	A. At times, yes. 18:56:58	17	That's because that short-lived 18:58:32
18	Q. Okay. And what would prompt 18:56:58	18	initiative had already been terminated by 18:58:34
19	you to do that? 18:57:01	19	that point; is that right? 18:58:37
20	A. Some of the media alerts 18:57:01	20	MR. O'CONNOR: Objection to 18:58:37
21	contained things like statements that in a 18:57:04	21	form. 18:58:38
22	certain region there was an issue, and so 18:57:09	22	THE WITNESS: So the physician 18:58:38
23	then that would prompt us to look at the 18:57:13	23	piece was not part of the program 18:58:42
24	chargebacks by in a specific geographic 18:57:15	24	then. It was an error of omission in 18:58:45
25	area. 18:57:18	25	the e-mail. We would indeed do 18:58:48
	Page 487		Page 489
1	Q. Okay. So let's finish up with 18:57:19	1	further review if a geographic area 18:58:52
2	your e-mail here before we move on to the 18:57:24	2	was mentioned without the benefit of a 18:58:54
3	next one. 18:57:25	3	pharmacy name. 18:58:56
4	A. Okay. 18:57:25	4	QUESTIONS BY MS. HERZFELD: 18:58:57
5	Q. So it says, "Google Alerts are 18:57:26	5	Q. Okay. So if a geographic area 18:58:57
6	scanned quickly for any mention of a pharmacy 18:57:27	6	was mentioned, you would 18:58:59
7	name or address. If none are contained in 18:57:29	7	A. Yes. 18:59:01
8	the article, an article is about perhaps new 18:57:33	8	Q but a physician at that 18:59:03
9	legislation or drug takeback initiatives, 18:57:35	9	point was not in the program? 18:59:07
10	then no further action is taken." 18:57:39	10	A. Correct. 18:59:08
1			
11	Did I read that correctly? 18:57:41	11	Q. Okay. I just wanted to make 18:59:09
11	Did I read that correctly? 18:57:41  A. Yes. 18:57:41	12	Q. Okay. I just wanted to make 18:59:09 sure I understood that. Thank you. 18:59:11
	Did I read that correctly? 18:57:41  A. Yes. 18:57:41  Q. Okay. And is that true, if it 18:57:42		Q. Okay. I just wanted to make 18:59:09 sure I understood that. Thank you. 18:59:11  A. You're welcome. 18:59:11
12 13 14	Did I read that correctly? 18:57:41  A. Yes. 18:57:41  Q. Okay. And is that true, if it 18:57:42 was about legislation or drug takeback 18:57:43	12 13 14	<ul> <li>Q. Okay. I just wanted to make 18:59:09</li> <li>sure I understood that. Thank you. 18:59:11</li> <li>A. You're welcome. 18:59:11</li> <li>Q. You can put that aside. 18:59:11</li> </ul>
12 13 14 15	Did I read that correctly? 18:57:41  A. Yes. 18:57:41  Q. Okay. And is that true, if it 18:57:42  was about legislation or drug takeback 18:57:43  initiatives, you just skipped over it? 18:57:45	12 13 14 15	<ul> <li>Q. Okay. I just wanted to make 18:59:09</li> <li>sure I understood that. Thank you. 18:59:11</li> <li>A. You're welcome. 18:59:11</li> <li>Q. You can put that aside. 18:59:11</li> <li>Have you ever heard the term 18:59:12</li> </ul>
12 13 14 15 16	Did I read that correctly? 18:57:41  A. Yes. 18:57:41  Q. Okay. And is that true, if it 18:57:42 was about legislation or drug takeback 18:57:43 initiatives, you just skipped over it? 18:57:45  A. Yes. 18:57:48	12 13 14 15 16	Q. Okay. I just wanted to make 18:59:09 sure I understood that. Thank you. 18:59:11  A. You're welcome. 18:59:11  Q. You can put that aside. 18:59:11  Have you ever heard the term 18:59:12  "pillbillies"? 18:59:29
12 13 14 15 16 17	Did I read that correctly? 18:57:41  A. Yes. 18:57:41  Q. Okay. And is that true, if it 18:57:42 was about legislation or drug takeback 18:57:43 initiatives, you just skipped over it? 18:57:45  A. Yes. 18:57:48  Q. Okay. Is there anything else 18:57:48	12 13 14 15 16 17	Q. Okay. I just wanted to make 18:59:09 sure I understood that. Thank you. 18:59:11 A. You're welcome. 18:59:11 Q. You can put that aside. 18:59:11 Have you ever heard the term 18:59:12 "pillbillies"? 18:59:29 A. No. 18:59:31
12 13 14 15 16 17 18	Did I read that correctly? 18:57:41  A. Yes. 18:57:41  Q. Okay. And is that true, if it 18:57:42  was about legislation or drug takeback 18:57:43  initiatives, you just skipped over it? 18:57:45  A. Yes. 18:57:48  Q. Okay. Is there anything else 18:57:48  you looked for in those Google Alerts 18:57:50	12 13 14 15 16 17 18	Q. Okay. I just wanted to make 18:59:09 sure I understood that. Thank you. 18:59:11  A. You're welcome. 18:59:11 Q. You can put that aside. 18:59:11  Have you ever heard the term 18:59:12  "pillbillies"? 18:59:29  A. No. 18:59:31 Q. Have you ever heard of the term 18:59:32
12 13 14 15 16 17 18	Did I read that correctly? 18:57:41  A. Yes. 18:57:41  Q. Okay. And is that true, if it 18:57:42 was about legislation or drug takeback 18:57:43 initiatives, you just skipped over it? 18:57:45  A. Yes. 18:57:48  Q. Okay. Is there anything else 18:57:48 you looked for in those Google Alerts 18:57:50  A. No. 18:57:52	12 13 14 15 16 17 18	Q. Okay. I just wanted to make 18:59:09 sure I understood that. Thank you. 18:59:11  A. You're welcome. 18:59:11  Q. You can put that aside. 18:59:11  Have you ever heard the term 18:59:12  "pillbillies"? 18:59:29  A. No. 18:59:31  Q. Have you ever heard of the term 18:59:32  "blues," referencing Mallinckrodt oxycodone? 18:59:40
12 13 14 15 16 17 18 19 20	Did I read that correctly? 18:57:41  A. Yes. 18:57:41  Q. Okay. And is that true, if it 18:57:42  was about legislation or drug takeback 18:57:43  initiatives, you just skipped over it? 18:57:45  A. Yes. 18:57:48  Q. Okay. Is there anything else 18:57:48  you looked for in those Google Alerts 18:57:50  A. No. 18:57:52  Q than what we've talked 18:57:53	12 13 14 15 16 17 18 19 20	Q. Okay. I just wanted to make 18:59:09 sure I understood that. Thank you. 18:59:11  A. You're welcome. 18:59:11  Q. You can put that aside. 18:59:11  Have you ever heard the term 18:59:12  "pillbillies"? 18:59:29  A. No. 18:59:31  Q. Have you ever heard of the term 18:59:32  "blues," referencing Mallinckrodt oxycodone? 18:59:40  A. Yes. 18:59:43
12 13 14 15 16 17 18 19 20 21	Did I read that correctly? 18:57:41  A. Yes. 18:57:41  Q. Okay. And is that true, if it 18:57:42  was about legislation or drug takeback 18:57:43  initiatives, you just skipped over it? 18:57:45  A. Yes. 18:57:48  Q. Okay. Is there anything else 18:57:48  you looked for in those Google Alerts 18:57:50  A. No. 18:57:52  Q than what we've talked 18:57:53  about? 18:57:54	12 13 14 15 16 17 18 19 20 21	Q. Okay. I just wanted to make 18:59:09 sure I understood that. Thank you. 18:59:11  A. You're welcome. 18:59:11 Q. You can put that aside. 18:59:11  Have you ever heard the term 18:59:12  "pillbillies"? 18:59:31 Q. Have you ever heard of the term 18:59:32  "blues," referencing Mallinckrodt oxycodone? 18:59:40 A. Yes. 18:59:43 Q. Okay. What do you understand 18:59:44
12 13 14 15 16 17 18 19 20 21 22	Did I read that correctly? 18:57:41  A. Yes. 18:57:41  Q. Okay. And is that true, if it 18:57:42  was about legislation or drug takeback 18:57:43  initiatives, you just skipped over it? 18:57:45  A. Yes. 18:57:48  Q. Okay. Is there anything else 18:57:48  you looked for in those Google Alerts 18:57:50  A. No. 18:57:52  Q than what we've talked 18:57:53  about? 18:57:55	12 13 14 15 16 17 18 19 20 21 22	Q. Okay. I just wanted to make 18:59:09 sure I understood that. Thank you. 18:59:11  A. You're welcome. 18:59:11 Q. You can put that aside. 18:59:11 Have you ever heard the term 18:59:12 "pillbillies"? 18:59:29 A. No. 18:59:31 Q. Have you ever heard of the term 18:59:32 "blues," referencing Mallinckrodt oxycodone? 18:59:40 A. Yes. 18:59:43 Q. Okay. What do you understand 18:59:44 it to be a term for? 18:59:45
12 13 14 15 16 17 18 19 20 21 22 23	Did I read that correctly? 18:57:41  A. Yes. 18:57:41  Q. Okay. And is that true, if it 18:57:42  was about legislation or drug takeback 18:57:43  initiatives, you just skipped over it? 18:57:45  A. Yes. 18:57:48  Q. Okay. Is there anything else 18:57:48  you looked for in those Google Alerts 18:57:50  A. No. 18:57:52  Q than what we've talked 18:57:53  about? 18:57:55  Q. Okay. 18:57:55	12 13 14 15 16 17 18 19 20 21 22 23	Q. Okay. I just wanted to make 18:59:09 sure I understood that. Thank you. 18:59:11 A. You're welcome. 18:59:11 Q. You can put that aside. 18:59:11 Have you ever heard the term 18:59:12 "pillbillies"? 18:59:29 A. No. 18:59:31 Q. Have you ever heard of the term 18:59:32 "blues," referencing Mallinckrodt oxycodone? 18:59:40 A. Yes. 18:59:43 Q. Okay. What do you understand 18:59:44 it to be a term for? 18:59:45 A. A street name for Mallinckrodt 18:59:46
12 13 14 15 16 17 18 19 20 21 22 23 24	Did I read that correctly? 18:57:41  A. Yes. 18:57:41  Q. Okay. And is that true, if it 18:57:42  was about legislation or drug takeback 18:57:43  initiatives, you just skipped over it? 18:57:45  A. Yes. 18:57:48  Q. Okay. Is there anything else 18:57:48  you looked for in those Google Alerts 18:57:50  A. No. 18:57:52  Q than what we've talked 18:57:53  about? 18:57:55  Q. Okay. 18:57:55  A. No. 18:57:55  A. No. 18:57:55	12 13 14 15 16 17 18 19 20 21 22 23 24	Q. Okay. I just wanted to make 18:59:09 sure I understood that. Thank you. 18:59:11  A. You're welcome. 18:59:11 Q. You can put that aside. 18:59:11 Have you ever heard the term 18:59:12 "pillbillies"? 18:59:29 A. No. 18:59:31 Q. Have you ever heard of the term 18:59:32 "blues," referencing Mallinckrodt oxycodone? 18:59:40 A. Yes. 18:59:43 Q. Okay. What do you understand 18:59:44 it to be a term for? 18:59:45 A. A street name for Mallinckrodt 18:59:46 oxycodone. 18:59:51
12 13 14 15 16 17 18 19 20 21 22 23	Did I read that correctly? 18:57:41  A. Yes. 18:57:41  Q. Okay. And is that true, if it 18:57:42  was about legislation or drug takeback 18:57:43  initiatives, you just skipped over it? 18:57:45  A. Yes. 18:57:48  Q. Okay. Is there anything else 18:57:48  you looked for in those Google Alerts 18:57:50  A. No. 18:57:52  Q than what we've talked 18:57:53  about? 18:57:55  Q. Okay. 18:57:55	12 13 14 15 16 17 18 19 20 21 22 23	Q. Okay. I just wanted to make 18:59:09 sure I understood that. Thank you. 18:59:11 A. You're welcome. 18:59:11 Q. You can put that aside. 18:59:11 Have you ever heard the term 18:59:12 "pillbillies"? 18:59:29 A. No. 18:59:31 Q. Have you ever heard of the term 18:59:32 "blues," referencing Mallinckrodt oxycodone? 18:59:40 A. Yes. 18:59:43 Q. Okay. What do you understand 18:59:44 it to be a term for? 18:59:45 A. A street name for Mallinckrodt 18:59:46

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2 certain that the 30s are blue, but I don't 18:59:58   4 know for certain the color of the 15s. 19:00:00   5   Q. Okay. Was there ever any 19:00:03   6 discussion amongst you and your colleagues 19:00:15   5 DFA conference was? 19:01:57   8   A. Yes. 19:00:16   9 Q. Okay. And who did you have 19:00:19   19:00:15   10 that discussion with? 19:00:20   10 that discussion with? 19:00:20   12 We have a suspicious order monitoring team 19:00:21   12 We have a suspicious order monitoring team 19:00:21   13 meeting approximately once a month. 19:00:23   14 Q. Okay. And when did you discuss 19:00:29   15 Tennessee? 19:00:31   15 Q. Okay. And when did you discuss 19:00:29   16 A. I don't have a date. 19:00:31   16 A. I don't have a date. 19:00:31   17 Q. Okay. Do you know how many 19:00:34   18 times you discussed Tennessee? 19:00:34   18 times you discussed Tennessee? 19:00:34   18 times you discussed Tennessee? 19:00:34   19:00:35   19 Q. Okay. Do you know hat the 19:00:44   Q. Okay. Do you know hat the 19:00:45   19:00:45				
A know for certain the color of the 15s.   19.00.03   G. O.				•
5   G.   Okay. Was there ever any   19:00:03     6   discussion amongst you and your colleagues   19:00:11     7   about pill mills popping up in Tennessee?   19:00:13     8   A.   Yes.   19:00:16     9   Q. Okay. And who did you have   19:00:19     10   that discussion with?   19:00:20     11   A.   It would have been the team.   19:00:21     12   We have a suspicious order monitoring team   19:00:21     13   meeting approximately once a month.   19:00:25     14   Q. Okay. And when did you discuss   19:00:31     15   Tennessee?   19:00:31     16   A.   Idon't have a date.   19:00:31     17   Q. Okay. Do you know how many   19:00:35     18   times you discussed Tennessee?   19:00:31     18   times you discussed Tennessee?   19:00:34     20   Q. Okay. Do you know what the   19:00:44     21   discussed Tennessee recently?   19:00:38     22   Q. Okay. Do you know what the   19:00:44     23   Q. Okay. Do you know what the   19:00:45     3   a number of ways, Google Alerts   19:00:59     4   Q. Okay. Do you know what the   19:00:45     5   Q. Okay. Okay. Do you know what the   19:00:45     6   A. And so the chargeback sin   19:00:59     7   Verre surde by state, so that would prompt a   19:01:20     8   verified in the state of the distributions by our customers   19:01:31     9   Q. Okay. Okay. Okay. I'll get back to   19:01:23     10   certain states if the numbers met a certain   19:01:25     11   Tennessee?   19:00:31     12   Q. Okay. Okay. Okay. I'll get back to   19:01:32     13   the chargeback data   19:01:32     14   Conference was?   19:00:37     15   A.   The Diff hand the did you discuss   19:00:37     16   A.   A.   Idon't have a date   19:00:38     17   Tennessee?   19:00:48     18   Tennessee?   19:00:48     19   Q. Okay. Okay				•
6 discussion amongst you and your colleagues   19:00:11   7 about pill mills popping up in Tennessee?   19:00:13   8   A. Yes.   19:00:16   9   Q. Okay. And who did you have   19:00:19   10 that discussion with?   19:00:20   110 that discussion with?   19:00:20   111 the would have been the team.   19:00:21   12 We have a suspicious order monitoring team   19:00:23   12 moreing approximately once a month.   19:00:23   13 moreing approximately once a month.   19:00:23   14   Q. Okay. And when did you discuss   19:00:31   15 Tennessee?   19:00:31   16 more you discussed Tennessee?   19:00:31   17   Q. Okay. Do you know how many   19:00:34   18 times you discussed Tennessee?   19:00:34   19 Q. Okay. Do you know if you   19:00:37   19 Q. Okay. Do you know if you   19:00:37   19 Q. Okay. Do you know what the   19:00:44   19:00:44   19:00:45   19:00:44   19:00:45   19:00:				· · · · · · · · · · · · · · · · · · ·
7	5	•		
8 A. Yes. 19:00:16 10 that discussion with? 19:00:20 11 A. It would have been the team. 19:00:21 12 We have a suspicious order monitoring team. 19:00:21 13 meeting approximately once a month. 19:00:25 14 Q. Okay. And obe order monitoring team. 19:00:25 15 Tennesseer? 19:00:31 16 A. I don't have a date. 19:00:31 17 Q. Okay. And when did you discuss. 19:00:29 18 times you discussed Tennesseer? 19:00:34 19 A. I do not. 19:00:35 19 A. I do not. 19:00:35 10 Q. Okay. Do you know how many 19:00:34 11 discussed Tennesseer? 19:00:34 12 discussed Tennesseer? 19:00:37 13 discussed Tennesseer? 19:00:37 14 discussed Tennesseer recently? 19:00:37 15 a discussed Tennesseer recently? 19:00:40 10 Q. Okay. Do you know that the 19:00:45 10 discussed Tennesseer recently? 19:00:45 11 Tennessee? 19:00:40 12 A. I don't recall discussing it 19:00:40 13 recently. 19:00:45 14 Tennesseer and the conversations about 19:00:45 15 Tennesseer recently. 19:00:45 16 A. I don't recall discussing it 19:00:40 17 were sorted by state, so that would prompt a 19:01:05 18 notwithstanding. 19:00:45 19 conference 19:00:31 10 certain states if the numbers met a certain 19:01:25 10 certain states if the numbers met a certain 19:01:25 10 tender and downstream registrants within 19:01:25 11 they said about Tennessee at that DEA 19:02:11 12 discussed Tennessee? 19:00:37 15 da. No. 19:02:11 16 map of the migration of the abuse or misuse 19:00:23 17 occupant the map of the migration of the abuse or misuse 19:00:23 18 times you discussed Tennessee? 19:00:37 20 okay. Do you know that the 19:00:45 21 discussed Tennessee recently? 19:00:37 22 A. I don't recall discussing it 19:00:40 23 recently. 19:00:45 24 A. Sow looked at chargeback in 19:00:45 25 notwithstance was of the conversations about 19:00:45 26 A. And so the chargeback reports 19:01:05 27 retriew of the distributions by our customers 19:01:10 28 review of the distributions by our customers 19:01:25 29 review of the distributions by our customers 19:01:25 30 review of the distributions by our customers				
9   Q. Okay. And who did you have   19:00:19   10   that discussion with?   19:00:20   12   Q. Okay. And do you recall what   19:02:05   13   meeting approximately once a month.   19:00:23   14   Q. Okay. And when did you discuss   19:00:29   14   Q. Okay. And when did you discuss   19:00:29   15   Tennessee?   19:00:31   16   A. I don't have a date.   19:00:31   16   May Do you know how many   19:00:34   17   Q. Okay. Do you know how many   19:00:34   18   times you discussed Tennessee?   19:00:34   18   times you discussed Tennessee?   19:00:34   18   discussed Tennessee reently?   19:00:43   19   Q. Okay. Do you know what the   19:00:45   19   Q. Okay. Do you know what the   19:00:45   19   Q. Okay. Do you know what the   19:00:45   19   Q. Okay. Do you know what the   19:00:45   19   Q. Okay. Do you know what the   19:00:45   19   Q. Okay. Do you know what the   19:00:45   19   Q. Okay. Do you know what the   19:00:45   19   Q. Okay. Do you know what the   19:00:45   19   Q. Okay. Do you know what the   19:00:45   19   Q. Okay. Do you know what the   19:00:45   19   Q. Okay. And other than what   19:02:45   20   Q. Okay. Do you know what the   19:00:45   21   A. No.   19:02:50   22   A. So we looked at chargebacks in   19:00:45   23   we've discussed, do you recall any other   19:02:51   in Tennessee?   19:02:50   20   Okay. Polyon the distributions by our customers   19:01:16   20   Q. Okay. Okay. And I think I   19:02:51   20   Okay. Polyon the distributions by our customers   19:01:16   20   Q. Okay. Okay. Polyon the distributions by our customers   19:01:16   20   Q. Okay. Okay. Polyon the   19:01:25   20   Okay. Okay. Polyon the   19:01:2	7		7	
10	8		8	would have been notes on it? 19:02:01
11	9		9	A. I do not know. 19:02:02
12   We have a suspicious order monitoring team   19:00:23   13   meeting approximately once a month.   19:00:26   14   Q. Okay. And when did you discuss   19:00:29   14   Q. Okay. And when did you discuss   19:00:31   15   A. I don't have a date.   19:00:31   16   A. I don't have a date.   19:00:31   17   Q. Okay. Do you know how many   19:00:34   18   times you discussed Tennessee?   19:00:35   19   Q. Okay. Do you know if you   19:00:37   20   Q. Okay. Do you know if you   19:00:37   21   discussed Tennessee recently?   19:00:37   22   discussed Tennessee recently?   19:00:37   23   discussed Tennessee recently?   19:00:37   24   Q. Okay. Do you know what the   19:00:40   25   we've discussed, do you recall any thing   19:00:45   25   we've discussed, do you recall any other   19:00:45   26   Q. Okay. Do you know what the   19:00:45   27   Q. Okay. Okay. And other than what   19:02:43   28   Q. Okay. Okay. And other than what   19:02:45   29   Q. Okay. And other than what   19:02:45   29   Q. Okay. O	10	that discussion with? 19:00:20	10	
13   meeting approximately once a month.   19:00:26   13   A. Yes.   19:02:11   14   Q. Okay. And when did you discuss   19:00:23   15   Tennessee?   19:00:31   15   A. I don't have a date.   19:00:31   16   A. I don't have a date.   19:00:31   17   Q. Okay. Do you know how many   19:00:34   18   times you discussed Tennessee?   19:00:35   18   times you discussed Tennessee?   19:00:35   18   times you discussed Tennessee?   19:00:37   19   Q. Okay. Do you know if you   19:00:37   19   Q. Okay. Do you recall anything   19:02:31   18   times you discussed Tennessee recently?   19:00:38   19:00:38   19:00:38   19:00:38   19:00:38   19:00:39   19:00:38   19:00:39   19:00:38   19:00:40   19:00:44   19:00:44   19:00:44   19:00:44   19:00:45	11	A. It would have been the team. 19:00:21	11	they said about Tennessee at that DEA 19:02:08
14   Q. Okay. And when did you discuss   19:00:29   14   Q. What did they say?   19:02:12   19:02:13   15   Tennessee?   19:00:31   15   Map of the migration of the abuse or misuse   19:02:23   17   Q. Okay. Do you know how many   19:00:34   18   map of the migration of the abuse or misuse   19:02:23   18   map of the migration of the abuse or misuse   19:02:23   18   map of the migration of the abuse or misuse   19:02:23   18   map of the migration of the abuse or misuse   19:02:23   18   map of the migration of the abuse or misuse   19:02:23   19   Q. Okay. Do you know in fyou   19:00:37   20   else they said about Tennessee?   19:02:32   19   Q. Okay. Do you recall anything   19:02:34   22   Q. Okay. Do you know what the   19:00:44   24   Q. Okay. Do you know what the   19:00:44   24   Q. Okay. Do you know what the   19:00:45   24   Q. Okay. Do you know what the   19:00:45   24   Q. Okay. Do you know what the   19:00:44   25   substance was of the conversations about   19:00:45   25   in Tennessee?   19:02:50   26   A. No.   19:02:50   27   in Tennessee?   19:02:50   28   review of the distributions by our customers   19:01:00   26   A. And so the chargeback reports   19:01:05   26   Q. Okay. Okay. Till get back to   19:01:25   27   Mat alked about, the communication with the   19:03:23   27   in Tennessee?   19:03:24   27   in Tennessee?   19:03:33   28   if Idd, just tell me that I did, and I   19:03:25   28   if Idd, just tell me that I did, and I   19:03:25   29   if Idd, just tell me that I did, and I   19:03:25   29   if Idd, just tell me that I did, and I   19:03:26   29   if Idd, just tell me that I did, and I   19:03:26   if Idd, just tell me that I did, and I   19:03:26   if Idd, just tell me that I did, and I   19:03:26   if Idd, just tell me that I did, and I   19:03:26   if Idd, just tell me that I did, and I   19:03:26   if Idd, just tell me that I did, and I   19:03:26   if Idd, just tell me that I did, and I   19:03:26   if Idd, just tell me that I did, and I   19:03:26   if Idd, just tell	12	We have a suspicious order monitoring team 19:00:23	12	conference? 19:02:11
15   Tennessee?   19:00:31   15   A.   The DEA showed an interactive   19:02:13   16   A.   I don't have a date.   19:00:34   18   moying throughout different states.   19:02:32   19   A.   I do not.   19:00:35   19   Q.   Okay. Do you know if you   19:00:35   19   Q.   Okay. Do you recall anything   19:02:33   18   moying throughout different states.   19:02:32   18   moying throughout different states.   19:02:32   18   moying throughout different states.   19:02:33   19:02:33   19   Q.   Okay. Do you recall anything   19:02:33   19:02:41   18   moying throughout different states.   19:02:33   19:02:32   19   Q.   Okay. Do you recall anything   19:02:33   19:02:42   19:02:42   19:00:44   19:00:45   19:02:45   19:	13	meeting approximately once a month. 19:00:26	13	A. Yes. 19:02:11
16	14	Q. Okay. And when did you discuss 19:00:29	14	Q. What did they say? 19:02:12
17   Q. Okay. Do you know how many   19:00:34   18   times you discussed Tennessee?   19:00:34   18   times you discussed Tennessee?   19:00:35   19   Q. Okay. Do you know if you   19:00:37   20   Q. Okay. Do you know if you   19:00:38   21   A. No.   19:02:42   A. I don't recall discussing it   19:00:40   22   Q. Okay. Do you know that the   19:00:45   23   recently.   19:00:45   24   Q. Okay. Do you know what the   19:00:45   25   wibstance was of the conversations about   19:00:45   25   wibstance was of the conversations about   19:00:45   26   Q. Okay. And other than what   19:02:45   27   wibstance was of the conversations about   19:00:45   28   we've discussed, do you recall any other   19:02:45   29   Q. Okay. And other than what   19:02:45   29   Q. Okay. And other than what   19:02:45   29   Q. Okay. Okay. And I think I   19:02:55   20   Okay. Okay. Gogle Alerts   19:00:56   3   a number of ways, Google Alerts   19:00:56   4   notwithstanding.   19:00:59   4   if I did, just tell me that I did, and I   19:03:20   7   had talked about, the communication with the   19:03:23   officer from Morristown and you and   19:03:23   officer from Morristown and you and   19:03:23   officer from Morristown and you and   19:03:23   officer from Morristown and you know if   19:03:24   20   Q. Okay. Okay. Pll get back to 19:01:32   10   Q. Okay. Okay. Okay. Pll get back to 19:01:32   10   Q. Okay. Okay. State, do you recall any ther   19:03:25   10   Q. Okay. Okay. State, do you know then   19:01:26   10   Q. Okay. Okay. Okay. State, do you know then   19:01:32   10   Q. Okay. Okay. State, do you whome that   19:01:32   10   Q. Okay. Okay. Okay. State, do you whome that   19:01:32   10   Q. Okay. Okay. Okay. State, do you whome that   19:01:32   10   Q. Okay. Okay. Okay. State, do you whome that   19:01:32   10   Q. Okay. Okay. Okay. State, do you whome that   19:01:34   10   Q. Okay. Okay. Okay. State, do you whome that   19:01:34   10   Q. Okay. Okay. Okay. State, do you whome that   19:01:35   10   Q. Okay. Oka	15	Tennessee? 19:00:31	15	A. The DEA showed an interactive 19:02:13
18 times you discussed Tennessee?   19:00:34   18 moving throughout different states.   19:02:32   19	16	A. I don't have a date. 19:00:31	16	map of the migration of the abuse or misuse 19:02:23
19	17	Q. Okay. Do you know how many 19:00:34	17	of oxycodone pills emanating from Florida and 19:02:28
20   Q. Okay. Do you know if you   19:00:37   20   else they said about Tennessee?   19:02:41	18	times you discussed Tennessee? 19:00:34	18	
21   discussed Tennessee recently?   19:00:38   21   A. No.   19:02:42   Q. Okay. And other than what   19:02:43   22   Q. Okay. And other than what   19:02:43   23   we've discussed, do you recall any other   19:02:45   24   conversations about   19:00:45   25   substance was of the conversations about   19:00:45   25   substance was of the conversations about   19:00:45   26   conversations substantively about pill mills   19:02:50   Page 491   Page 493   Page 493   Page 493   Page 493   Page 493   Page 494   Page 493   Page 494   Page 494   Page 495   Page 495   Page 496	19	A. I do not. 19:00:35	19	Q. Okay. Do you recall anything 19:02:33
22 A. I don't recall discussing it 19:00:40 23 recently. 19:00:43 24 Q. Okay. Do you know what the 25 substance was of the conversations about 19:00:45 25 substance was of the conversations about 19:00:45 26 x Bayes and the conversations about 19:00:45 27 x Bayes and the conversations about 19:00:45 28 x Bayes and the conversations about 19:00:45 39 a number of ways, Google Alerts 19:00:59 40 x Bayes and the chargebacks in 19:00:59 41 x Bayes and the chargeback and the chargeback reports 19:01:00 41 x Bayes and the chargeback reports 19:01:00 42 x Bayes and the distributions by our customers 19:01:11 43 x Bayes and the chargeback reports 19:01:01 54 x Bayes and the distributions by our customers 19:01:01 55 x Bayes and the distributions by our customers 19:01:01 56 x Bayes and the distributions by our customers 19:01:01 57 x Bayes and the distributions by our customers 19:01:01 58 x Bayes and the distributions by our customers 19:01:01 59 x Bayes and the distributions by our customers 19:01:01 50 x Bayes and the distributions by our customers 19:01:01 50 x Bayes and the distributions by our customers 19:01:01 50 x Bayes and the distributions by our customers 19:01:01 50 x Bayes and the distributions by our customers 19:01:01 50 x Bayes and the distributions by our customers 19:01:01 50 x Bayes and the distributions by our customers 19:01:01 50 x Bayes and the think in the 19:03:20 50 x Bayes and the think in 19:03:20 51 x Bayes and the think in 19:03:20 52 x Bayes and the think in the 19:03:20 53 x Bayes and the think in 19:03:20 54 x Bayes and the think in 19:03:20 55 x Bayes and the think in 19:03:20 56 x Bayes and the think in 19:03:20 57 x Bayes and the think in 19:03:20 58 x Bayes and the think in 19:03:20 59 x Bayes and the think in 19:03:20 50 x Bayes and the think in 19:03:20 50 x Bayes and the think in 19:03:20 50 x Bayes and the think in 19:03:21 50 x Bayes and the think in 19:03:21 50 x Bayes and the think in 19:03:22 50 x Bayes and the think in 19:03:23 50 x Bayes and the think in 19:03:23 50 x Baye	20	Q. Okay. Do you know if you 19:00:37	20	else they said about Tennessee? 19:02:41
23   recently.   19:00:43   24   Q. Okay. Do you know what the   19:00:44   25   substance was of the conversations about   19:00:45   26   27   27   28   29   29   29   29   29   29   29	21	discussed Tennessee recently? 19:00:38	21	A. No. 19:02:42
24   Q. Okay. Do you know what the   19:00:44   25   substance was of the conversations about   19:00:45   25   in Tennessee?   19:02:50   Page 493     1   Tennessee?   19:00:47   1   A. No.   19:02:50   Page 493     2   A. So we looked at chargebacks in   19:00:48   2   Q. Okay. Okay. And I think I   19:02:51     3   a number of ways, Google Alerts   19:00:56   4   notwithstanding.   19:00:56   3   might have asked you this question before, so   19:03:12     4   for I did, just tell me that I did, and I   19:03:16   5   apologize for asking it before.   19:03:20     6   A. And so the chargeback reports   19:01:00   6   Other than the discussion we   19:03:20     7   were sorted by state, so that would prompt a   19:01:05   19:01:11   19:01:16   19:01:25   10   certain states if the numbers met a certain   19:01:26   19:01:28   10   certain states if the numbers met a certain   19:01:25   12   Q. Okay. Okay. I'll get back to   19:01:25   12   Q. Okay. Okay. I'll get back to   19:01:32   13   that in just one second, the state sorting of   19:01:32   15   A. Okay.   19:01:32   16   Q. Other than sorting the   19:01:32   17   chargeback data.   19:01:32   18   other substantive conversations about pill   19:01:36   19:01:38   19:01:38   19:01:38   19:01:34	22	A. I don't recall discussing it 19:00:40	22	Q. Okay. And other than what 19:02:43
Page 491	23	recently. 19:00:43	23	we've discussed, do you recall any other 19:02:45
Page 491  1 Tennessee? 19:00:47  2 A. So we looked at chargebacks in 19:00:56 3 a number of ways, Google Alerts 19:00:56 4 notwithstanding. 19:00:59 5 Q. Okay. 19:01:00 6 A. And so the chargeback reports 19:01:00 7 were sorted by state, so that would prompt a 19:01:15 9 to end end downstream registrants within 19:01:16 10 certain states if the numbers met a certain 19:01:20 11 criteria. 19:01:24 12 Q. Okay. Okay. I'll get back to 19:01:25 13 that in just one second, the state sorting of 19:01:25 14 the chargeback data. 19:01:32 15 A. Okay. 19:01:32 16 Q. Other than sorting the 19:01:32 17 chargeback data by state, do you recall any 19:01:34 18 other substantive conversations about pill 19:01:36 19 mills in Tennessee? 19:01:44 20 Q. Okay. 19:01:34 21 Conferences. I don't specifically know which 19:01:42 22 One. 19:01:44 23 Q. Okay. 19:01:44 24 A. But we would have brought that 19:01:44 24 Q. Okay. 19:03:47 24 A. But we would have brought that 19:01:44 24 Q. Okay. 19:03:47 24 A. But we would have brought that 19:01:44 25 Q. Okay. 19:03:47	24		24	conversations substantively about pill mills 19:02:47
1 Tennessee?	25	substance was of the conversations about 19:00:45	25	in Tennessee? 19:02:50
1 Tennessee?		Page 491		Page 493
3 a number of ways, Google Alerts 19:00:56 4 notwithstanding. 19:00:59 5 Q. Okay. 19:01:00 6 A. And so the chargeback reports 19:01:00 7 were sorted by state, so that would prompt a 19:01:05 8 review of the distributions by our customers 19:01:11 9 to end end downstream registrants within 19:01:16 10 certain states if the numbers met a certain 19:01:20 11 criteria. 19:01:24 12 Q. Okay. Okay. I'll get back to 19:01:25 13 that in just one second, the state sorting of 19:01:32 14 the chargeback data. 19:01:32 15 A. Okay. 19:01:32 16 Q. Other than sorting the 19:01:32 17 chargeback data by state, do you recall any 19:01:34 18 other substantive conversations about pill 19:01:36 19 mills in Tennessee? 19:01:44 20 Q. Okay. 19:01:44 21 Q. Okay. 19:01:44 22 Q. Okay. 19:01:44 23 Q. Okay. 19:01:44 24 A. But we would have brought that 19:01:44 24 A. But we would have brought that 19:01:44 24 Q. Okay. 19:03:47 24 G. Okay. 19:03:47 24 G. Okay. 19:03:47 24 Q. Okay. 19:03:47 25 D. Okay. 19:03:40 26 Other than the discussion we 19:03:20 27 had talked about, the communication with the 19:03:23 3 might have asked you this question before, so 19:03:21 4 if I did, just tell me that I did, and I 19:03:20 6 Other than the discussion we 19:03:20 7 had talked about, the communication with the 19:03:23 8 officer from Morristown and you and 19:03:23 9 Mr. Ratliff, have you ever communicated with 19:03:23 10 any other law enforcement from Tennessee? 19:03:28 11 A. Not to my knowledge. 19:03:28 12 Q. Okay. And do you know if 19:03:29 13 anyone on your team ever did? 19:03:31 14 A. So I'd like to clarify the 19:03:33 15 A. Okay. 19:01:32 16 Q. Sure. 19:03:34 17 chargeback data by state, do you recall any 19:01:34 18 other substantive conversations about pill 19:01:36 19 mills in Tennessee? 19:03:35 19 this National Association of Drug Diversion 19:03:41 10 Investigators. 19:03:44 21 Q. Okay. 19:03:47 22 A. And so they came to conferences 19:03:44 23 Q. Okay. 19:01:44 24 Q. Okay. 19:03:47	1	Tennessee? 19:00:47	1	A. No. 19:02:50
4 notwithstanding. 19:00:59 5 Q. Okay. 19:01:00 6 A. And so the chargeback reports 19:01:00 7 were sorted by state, so that would prompt a 19:01:05 8 review of the distributions by our customers 19:01:11 9 to end end downstream registrants within 19:01:16 10 certain states if the numbers met a certain 19:01:20 11 criteria. 19:01:24 11 Q. Okay. Okay. I'll get back to 19:01:25 12 Q. Okay. Okay. I'll get back to 19:01:25 13 that in just one second, the state sorting of 19:01:31 14 the chargeback data. 19:01:32 15 A. Okay. 19:01:32 16 Q. Other than sorting the 19:01:32 17 chargeback data by state, do you recall any 19:01:34 18 other substantive conversations about pill 19:01:36 19 mills in Tennessee? 19:01:44 20 one. 19:01:44 21 Q. Okay. 19:01:44 22 A. And so they came to conferences 19:03:47 24 A. But we would have brought that 19:01:44 24 Q. Okay. 19:03:47 24 G. Okay. 19:03:47	2	A. So we looked at chargebacks in 19:00:48	2	Q. Okay. Okay. And I think I 19:02:51
5 Q. Okay. 19:01:00 6 A. And so the chargeback reports 19:01:00 7 were sorted by state, so that would prompt a 19:01:05 8 review of the distributions by our customers 19:01:11 9 to end end downstream registrants within 19:01:20 10 certain states if the numbers met a certain 19:01:20 11 criteria. 19:01:24 12 Q. Okay. Okay. I'll get back to 19:01:25 13 that in just one second, the state sorting of 19:01:31 14 the chargeback data. 19:01:31 15 A. Okay. 19:01:32 16 Q. Other than sorting the 19:01:32 17 chargeback data by state, do you recall any 19:01:34 18 other substantive conversations about pill 19:01:36 19 mills in Tennessee? 19:01:38 19 mills in Tennessee? 19:01:44 20 one. 19:01:44 21 Q. Okay. 19:01:44 22 A. But we would have brought that 19:01:44 23 Q. Okay. 19:01:44 24 A. But we would have brought that 19:01:44 24 Q. Okay. 19:03:47	3	a number of ways, Google Alerts 19:00:56	3	might have asked you this question before, so 19:03:12
6 A. And so the chargeback reports 19:01:00 7 were sorted by state, so that would prompt a 19:01:05 8 review of the distributions by our customers 19:01:11 9 to end end downstream registrants within 19:01:16 10 certain states if the numbers met a certain 19:01:20 11 criteria. 19:01:24 12 Q. Okay. Okay. I'll get back to 19:01:25 13 that in just one second, the state sorting of 19:01:28 14 the chargeback data. 19:01:31 15 A. Okay. 19:01:32 16 Q. Other than sorting the 19:01:32 17 chargeback data by state, do you recall any 19:01:34 18 other substantive conversations about pill 19:01:36 19 mills in Tennessee? 19:01:38 19 mills in Tennessee? 19:01:38 19 mills in Tennessee? 19:01:44 20 one. 19:01:44 21 Q. Okay. 19:01:44 22 A. But we would have brought that 19:01:44 23 Q. Okay. 19:01:44 24 A. But we would have brought that 19:01:44 24 Q. Okay. 19:03:47	4	notwithstanding 10:00:50	١.	
7 were sorted by state, so that would prompt a 19:01:05 8 review of the distributions by our customers 19:01:11 9 to end end downstream registrants within 19:01:16 10 certain states if the numbers met a certain 19:01:20 11 criteria. 19:01:24 12 Q. Okay. Okay. I'll get back to 19:01:25 13 that in just one second, the state sorting of 19:01:28 14 the chargeback data. 19:01:32 15 A. Okay. 19:01:32 16 Q. Other than sorting the 19:01:32 17 chargeback data by state, do you recall any 19:01:34 18 other substantive conversations about pill 19:01:38 19 mills in Tennessee? 19:01:38 10 any other law enforcement from Tennessee? 19:03:27 11 A. Not to my knowledge. 19:03:28 12 Q. Okay. And do you know if 19:03:29 13 anyone on your team ever did? 19:03:31 14 A. So I'd like to clarify the 19:03:33 15 A. Okay. 19:01:32 16 Q. Sure. 19:03:34 17 chargeback data by state, do you recall any 19:01:34 18 other substantive conversations about pill 19:01:36 19 mills in Tennessee? 19:01:38 19 this National Association of Drug Diversion 19:03:41 20 A. It was mentioned at DEA 19:01:39 21 conferences. I don't specifically know which 19:01:42 22 one. 19:01:44 23 Q. Okay. 19:01:44 24 A. But we would have brought that 19:01:44 24 Q. Okay. 19:03:47	1	notwinistanding.	4	if I did, just tell me that I did, and I 19:03:16
8 review of the distributions by our customers         19:01:11         8 officer from Morristown and you and         19:03:23           9 to end end downstream registrants within         19:01:16         9 Mr. Ratliff, have you ever communicated with         19:03:25           10 certain states if the numbers met a certain         19:01:20         10 any other law enforcement from Tennessee?         19:03:27           11 criteria.         19:01:24         11 A. Not to my knowledge.         19:03:28           12 Q. Okay. Okay. I'll get back to 19:01:25         12 Q. Okay. And do you know if 19:03:29           13 that in just one second, the state sorting of 19:01:28         13 anyone on your team ever did?         19:03:31           14 the chargeback data.         19:01:31         14 A. So I'd like to clarify the 19:03:33         19:03:33           15 A. Okay.         19:01:32         15 previous answer.         19:03:34           16 Q. Other than sorting the 19:01:32         16 Q. Sure.         19:03:34           17 chargeback data by state, do you recall any 19:01:34         19:01:36         18 from various jurisdictions were members of 19:03:38           19 mills in Tennessee?         19:01:38         19 this National Association of Drug Diversion 19:03:44           20 A. It was mentioned at DEA         19:01:44         20 Okay.         19:03:44           21 Q. Okay.         19:03:44         21	5	_	5	
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23 Q. Okay. 19:01:44 23 with us. 19:03:47 24 A. But we would have brought that 19:01:44 24 Q. Okay. 19:03:47	6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q. Okay. 19:01:00  A. And so the chargeback reports 19:01:00  were sorted by state, so that would prompt a 19:01:05  review of the distributions by our customers 19:01:11  to end end downstream registrants within 19:01:16  certain states if the numbers met a certain 19:01:20  criteria. 19:01:24  Q. Okay. Okay. I'll get back to 19:01:25  that in just one second, the state sorting of 19:01:28  the chargeback data. 19:01:31  A. Okay. 19:01:32  Q. Other than sorting the 19:01:32  chargeback data by state, do you recall any 19:01:34  other substantive conversations about pill 19:01:36  mills in Tennessee? 19:01:38  A. It was mentioned at DEA 19:01:39	6 7 8 9 10 11 12 13 14 15 16 17 18 19	apologize for asking it before.  Other than the discussion we 19:03:20 had talked about, the communication with the 19:03:23 officer from Morristown and you and 19:03:23 Mr. Ratliff, have you ever communicated with 19:03:25 any other law enforcement from Tennessee? 19:03:27 A. Not to my knowledge. 19:03:28 Q. Okay. And do you know if 19:03:29 anyone on your team ever did? 19:03:31 A. So I'd like to clarify the 19:03:33 previous answer. 19:03:34 Q. Sure. 19:03:34 A. So law enforcement officers 19:03:35 from various jurisdictions were members of 19:03:38 this National Association of Drug Diversion 19:03:41 Investigators. 19:03:44
24 A. But we would have brought that 19:01:44 24 Q. Okay. 19:03:47	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. Okay. 19:01:00  A. And so the chargeback reports 19:01:00  were sorted by state, so that would prompt a 19:01:05  review of the distributions by our customers 19:01:11  to end end downstream registrants within 19:01:16  certain states if the numbers met a certain 19:01:20  criteria. 19:01:24  Q. Okay. Okay. I'll get back to 19:01:25  that in just one second, the state sorting of 19:01:28  the chargeback data. 19:01:31  A. Okay. 19:01:32  Q. Other than sorting the 19:01:32  chargeback data by state, do you recall any 19:01:34  other substantive conversations about pill 19:01:36  mills in Tennessee? 19:01:38  A. It was mentioned at DEA 19:01:39  conferences. I don't specifically know which 19:01:42	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	apologize for asking it before.  Other than the discussion we 19:03:20 had talked about, the communication with the 19:03:23 officer from Morristown and you and 19:03:23 Mr. Ratliff, have you ever communicated with 19:03:25 any other law enforcement from Tennessee? 19:03:27 A. Not to my knowledge. 19:03:28 Q. Okay. And do you know if 19:03:29 anyone on your team ever did? 19:03:31 A. So I'd like to clarify the 19:03:34 Q. Sure. 19:03:34 Q. Sure. 19:03:34 A. So law enforcement officers 19:03:38 this National Association of Drug Diversion 19:03:41 Investigators. 19:03:44 Q. Okay. 19:03:44
back to the suspicious order monitoring team, 19:01:46 25 A. So I may have had a discussion 19:03:47	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Okay. 19:01:00  A. And so the chargeback reports 19:01:00  were sorted by state, so that would prompt a 19:01:05  review of the distributions by our customers 19:01:11  to end end downstream registrants within 19:01:16  certain states if the numbers met a certain 19:01:20  criteria. 19:01:24  Q. Okay. Okay. I'll get back to 19:01:25  that in just one second, the state sorting of 19:01:28  the chargeback data. 19:01:31  A. Okay. 19:01:32  Q. Other than sorting the 19:01:32  chargeback data by state, do you recall any 19:01:34  other substantive conversations about pill 19:01:36  mills in Tennessee? 19:01:38  A. It was mentioned at DEA 19:01:39  conferences. I don't specifically know which 19:01:42  one. 19:01:44	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	apologize for asking it before.  Other than the discussion we 19:03:20 had talked about, the communication with the 19:03:23 officer from Morristown and you and 19:03:23 Mr. Ratliff, have you ever communicated with 19:03:25 any other law enforcement from Tennessee? 19:03:27 A. Not to my knowledge. 19:03:28 Q. Okay. And do you know if 19:03:29 anyone on your team ever did? 19:03:31 A. So I'd like to clarify the 19:03:33 previous answer. 19:03:34 Q. Sure. 19:03:34 A. So law enforcement officers 19:03:35 from various jurisdictions were members of 19:03:41 Investigators. 19:03:44 Q. Okay. 19:03:44 A. And so they came to conferences 19:03:44
	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Okay. 19:01:00  A. And so the chargeback reports 19:01:00  were sorted by state, so that would prompt a 19:01:05  review of the distributions by our customers 19:01:11  to end end downstream registrants within 19:01:16  certain states if the numbers met a certain 19:01:20  criteria. 19:01:24  Q. Okay. Okay. I'll get back to 19:01:25  that in just one second, the state sorting of 19:01:28  the chargeback data. 19:01:31  A. Okay. 19:01:32  Q. Other than sorting the 19:01:32  chargeback data by state, do you recall any 19:01:34  other substantive conversations about pill 19:01:36  mills in Tennessee? 19:01:38  A. It was mentioned at DEA 19:01:39  conferences. I don't specifically know which 19:01:42  one. 19:01:44  Q. Okay. 19:01:44	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	apologize for asking it before.  Other than the discussion we 19:03:20 had talked about, the communication with the 19:03:23 officer from Morristown and you and 19:03:23 Mr. Ratliff, have you ever communicated with 19:03:25 any other law enforcement from Tennessee? 19:03:27 A. Not to my knowledge. 19:03:28 Q. Okay. And do you know if 19:03:29 anyone on your team ever did? 19:03:31 A. So I'd like to clarify the 19:03:33 previous answer. 19:03:34 Q. Sure. 19:03:34 A. So law enforcement officers 19:03:35 from various jurisdictions were members of 19:03:38 this National Association of Drug Diversion 19:03:41 Investigators. 19:03:44 Q. Okay. 19:03:44 A. And so they came to conferences 19:03:44 with us. 19:03:47

	Page 494		Page 496
1	with them as a member of law enforcement, 19:03:50	1	, ,
2	particularly if we were speaking at the 19:03:52	2	being reported to the DEA? 19:05:43
3	conference and talking about our placebo 19:03:59	3	A. Again, if I researched the 19:05:44
4	program for law enforcement. 19:04:01	4	chargeback-restricted pharmacies, perhaps, 19:05:50
5	Q. Okay. But do you recall any 19:04:02	5	but I would not have had any other 19:05:53
6	specific conversations with anyone from 19:04:04	6	conversation than that. 19:05:55
7	Tennessee? 19:04:05	7	Q. Okay. Do you know how many 19:05:55
8	A. No. 19:04:05	8	Tennessee pharmacies have been put on 19:06:05
9	Q. Okay. And other than that 19:04:06	9	chargeback restriction? 19:06:06
LO	conversation with the law enforcement officer 19:04:08	10	A. I do not. 19:06:07
11	from Morristown about a specific 19:04:09	11	Q. Okay. 19:06:07
L2	investigation, you don't recall any 19:04:12	12	A. I'm saying no, I do not, again. 19:06:16
L3	communications about any other specific 19:04:14	13	(Mallinckrodt-Harper Exhibit 36 19:06:24
L4	investigations within Tennessee that you were 19:04:16	14	marked for identification.) 19:06:25
L 5	involved in? 19:04:18	15	QUESTIONS BY MS. HERZFELD: 19:06:25
16	A. No. 19:04:19	16	Q. Okay. I'm going to mark this 19:06:25
L7	Q. Okay. Or anybody from your 19:04:19	17	as Plaintiff's Exhibit 36. It's Bates number 19:06:26
18	team for that matter? 19:04:21	18	MNK_TNSTA00609639. 19:06:28
L9	A. So I cannot speak I did 19:04:22	19	That front page is just a 19:06:34
20	not I wasn't always privy. 19:04:25	20	placeholder. 19:06:45
21	Q. Okay. 19:04:26	21	If you look at the second one, 19:06:46
22	A. If our security director, Bill 19:04:27	22	I will represent to you that we have searched 19:06:48
23	Ratliff, our current vice president of 19:04:31	23	the chargeback restriction database and 19:06:51
24	security, John Gillies, was involved in an 19:04:33	24	sorted it by Tennessee. The title of the 19:06:53
25	investigation, but not to my knowledge. 19:04:36	25	document was "Mallinckrodt chargeback 19:07:01
	, , , , , , , , , , , , , , , , , , ,		C
	Page 495		Page 497
1	Q. Okay. Okay. And have you ever 19:04:37	1 1	
		1	restriction, underscore, reinstatement list." 19:07:03
2	reported any Tennessee pharmacies to 19:04:41	2	Are you familiar with a list 19:07:04
2	reported any Tennessee pharmacies to 19:04:41	2	Are you familiar with a list 19:07:04
2	reported any Tennessee pharmacies to 19:04:41 Tennessee law enforcement? 19:04:45	2 3	Are you familiar with a list 19:07:04 that's called that? 19:07:05
2 3 4	reported any Tennessee pharmacies to 19:04:41 Tennessee law enforcement? 19:04:45 A. Not to my knowledge. 19:04:47	2 3 4	Are you familiar with a list 19:07:04 that's called that? 19:07:05  A. Yes. 19:07:06
2 3 4 5	reported any Tennessee pharmacies to 19:04:41 Tennessee law enforcement? 19:04:45 A. Not to my knowledge. 19:04:47 Q. Okay. Or to federal law 19:04:51	2 3 4 5	
2 3 4 5 6	reported any Tennessee pharmacies to 19:04:41 Tennessee law enforcement? 19:04:45  A. Not to my knowledge. 19:04:47 Q. Okay. Or to federal law 19:04:51 enforcement with jurisdiction over Tennessee? 19:04:54	2 3 4 5 6	that's called that? 19:07:04  that's called that? 19:07:05  A. Yes. 19:07:06  Q. Okay. And are you responsible 19:07:06  for creating it? 19:07:07
2 3 4 5 6 7	reported any Tennessee pharmacies to 19:04:41 Tennessee law enforcement? 19:04:45 A. Not to my knowledge. 19:04:47 Q. Okay. Or to federal law 19:04:51 enforcement with jurisdiction over Tennessee? 19:04:54 A. Well, when we restrict the sale 19:04:57	2 3 4 5 6 7	$\begin{tabular}{lll} Are you familiar with a list & 19:07:04\\ that's called that? & 19:07:05\\ A. & Yes. & 19:07:06\\ Q. & Okay. And are you responsible & 19:07:06\\ for creating it? & 19:07:07\\ A. & No. & 19:07:09\\ \end{tabular}$
2 3 4 5 6 7 8	reported any Tennessee pharmacies to 19:04:41  Tennessee law enforcement? 19:04:45  A. Not to my knowledge. 19:04:47  Q. Okay. Or to federal law 19:04:51  enforcement with jurisdiction over Tennessee? 19:04:54  A. Well, when we restrict the sale 19:04:57  of the processing of chargebacks to 19:05:01	2 3 4 5 6 7 8	Are you familiar with a list 19:07:04  that's called that? 19:07:05  A. Yes. 19:07:06  Q. Okay. And are you responsible 19:07:06  for creating it? 19:07:07  A. No. 19:07:09  Q. Are you responsible for 19:07:10
2 3 4 5 6 7 8 9	reported any Tennessee pharmacies to 19:04:41  Tennessee law enforcement? 19:04:45  A. Not to my knowledge. 19:04:47  Q. Okay. Or to federal law 19:04:51  enforcement with jurisdiction over Tennessee? 19:04:54  A. Well, when we restrict the sale 19:04:57  of the processing of chargebacks to 19:05:01  pharmacies, that's reported to all 19:05:04	2 3 4 5 6 7 8	Are you familiar with a list       19:07:04         that's called that?       19:07:05         A.       Yes.       19:07:06         Q.       Okay. And are you responsible of creating it?       19:07:07         A.       No.       19:07:09         Q.       Are you responsible for maintaining it?       19:07:11
2 3 4 5 6 7 8 9	reported any Tennessee pharmacies to 19:04:41 Tennessee law enforcement? 19:04:45 A. Not to my knowledge. 19:04:47 Q. Okay. Or to federal law 19:04:51 enforcement with jurisdiction over Tennessee? 19:04:54 A. Well, when we restrict the sale 19:04:57 of the processing of chargebacks to 19:05:01 pharmacies, that's reported to all 19:05:04 distributors and to DEA. 19:05:07	2 3 4 5 6 7 8 9	Are you familiar with a list 19:07:04  that's called that? 19:07:05  A. Yes. 19:07:06  Q. Okay. And are you responsible 19:07:06  for creating it? 19:07:07  A. No. 19:07:09  Q. Are you responsible for 19:07:10  maintaining it? 19:07:11  A. No. 19:07:11
2 3 4 5 6 7 8 9 10	reported any Tennessee pharmacies to 19:04:41  Tennessee law enforcement? 19:04:45  A. Not to my knowledge. 19:04:47  Q. Okay. Or to federal law 19:04:51  enforcement with jurisdiction over Tennessee? 19:04:54  A. Well, when we restrict the sale 19:04:57  of the processing of chargebacks to 19:05:01  pharmacies, that's reported to all 19:05:04  distributors and to DEA. 19:05:07  Q. Okay. But other than the DEA, 19:05:09  you didn't reach out to anybody at the 19:05:10	2 3 4 5 6 7 8 9 10	Are you familiar with a list       19:07:04         that's called that?       19:07:05         A.       Yes.       19:07:06         Q.       Okay. And are you responsible       19:07:06         for creating it?       19:07:07         A.       No.       19:07:09         Q.       Are you responsible for maintaining it?       19:07:11         A.       No.       19:07:11         A.       No.       19:07:12
2 3 4 5 6 7 8 9 10 11 12	reported any Tennessee pharmacies to 19:04:41  Tennessee law enforcement? 19:04:45  A. Not to my knowledge. 19:04:47  Q. Okay. Or to federal law 19:04:51  enforcement with jurisdiction over Tennessee? 19:04:54  A. Well, when we restrict the sale 19:04:57  of the processing of chargebacks to 19:05:01  pharmacies, that's reported to all 19:05:04  distributors and to DEA. 19:05:07  Q. Okay. But other than the DEA, 19:05:09	2 3 4 5 6 7 8 9 10 11	Are you familiar with a list       19:07:04         that's called that?       19:07:05         A.       Yes.       19:07:06         Q.       Okay. And are you responsible       19:07:07         A.       No.       19:07:09         Q.       Are you responsible for maintaining it?       19:07:11         A.       No.       19:07:11         Q.       Do you have input into its       19:07:12         creation?       19:07:14
2 3 4 5 6 7 8 9 -0 -1 -2 -3 -4	reported any Tennessee pharmacies to 19:04:41  Tennessee law enforcement? 19:04:45  A. Not to my knowledge. 19:04:47  Q. Okay. Or to federal law 19:04:51  enforcement with jurisdiction over Tennessee? 19:04:54  A. Well, when we restrict the sale 19:04:57  of the processing of chargebacks to 19:05:01  pharmacies, that's reported to all 19:05:04  distributors and to DEA. 19:05:07  Q. Okay. But other than the DEA, 19:05:09  you didn't reach out to anybody at the 19:05:10  US Attorney's Office for the Eastern District 19:05:12	2 3 4 5 6 7 8 9 10 11 12 13	Are you familiar with a list       19:07:04         that's called that?       19:07:05         A.       Yes.       19:07:06         Q.       Okay. And are you responsible       19:07:07         A.       No.       19:07:09         Q.       Are you responsible for maintaining it?       19:07:11         A.       No.       19:07:11         Q.       Do you have input into its       19:07:12         creation?       19:07:14         A.       I have input into the put into the chargeback restriction or recisions.       19:07:20
2 3 4 5 6 7 8 9 -0 -1 -2 -3 -4 -5	reported any Tennessee pharmacies to 19:04:41  Tennessee law enforcement? 19:04:45  A. Not to my knowledge. 19:04:47  Q. Okay. Or to federal law 19:04:51  enforcement with jurisdiction over Tennessee? 19:04:54  A. Well, when we restrict the sale 19:04:57  of the processing of chargebacks to 19:05:01  pharmacies, that's reported to all 19:05:04  distributors and to DEA. 19:05:07  Q. Okay. But other than the DEA, 19:05:09  you didn't reach out to anybody at the 19:05:10  US Attorney's Office for the Eastern District 19:05:12  of Tennessee or anything like that? 19:05:14  A. No. 19:05:16	2 3 4 5 6 7 8 9 10 11 12 13	Are you familiar with a list 19:07:04  that's called that? 19:07:05  A. Yes. 19:07:06  Q. Okay. And are you responsible 19:07:06  for creating it? 19:07:07  A. No. 19:07:09  Q. Are you responsible for 19:07:10  maintaining it? 19:07:11  A. No. 19:07:11  Q. Do you have input into its 19:07:12  creation? 19:07:14  A. I have input into the 19:07:15  chargeback restriction or recisions. 19:07:20  Q. Okay. 19:07:22
2 3 4 5 6 7 8 9 .0 .1 .2 .3 .4 .5 .6	reported any Tennessee pharmacies to 19:04:41  Tennessee law enforcement? 19:04:45  A. Not to my knowledge. 19:04:47  Q. Okay. Or to federal law 19:04:51  enforcement with jurisdiction over Tennessee? 19:04:54  A. Well, when we restrict the sale 19:04:57  of the processing of chargebacks to 19:05:01  pharmacies, that's reported to all 19:05:04  distributors and to DEA. 19:05:07  Q. Okay. But other than the DEA, 19:05:09  you didn't reach out to anybody at the 19:05:10  US Attorney's Office for the Eastern District 19:05:12  of Tennessee or anything like that? 19:05:14  A. No. 19:05:16  Q. Okay. Okay. And what about 19:05:16	2 3 4 5 6 7 8 9 10 11 12 13 14	Are you familiar with a list 19:07:04  that's called that? 19:07:05  A. Yes. 19:07:06  Q. Okay. And are you responsible 19:07:06  for creating it? 19:07:07  A. No. 19:07:09  Q. Are you responsible for 19:07:10  maintaining it? 19:07:11  A. No. 19:07:11  Q. Do you have input into its 19:07:12  creation? 19:07:14  A. I have input into the 19:07:15  chargeback restriction or recisions. 19:07:20  Q. Okay. 19:07:22  A. And then someone else on our 19:07:22
2 3 4 5 6 7 8 9 .0 .1 .2 .3 .4 .5 .6 .7	reported any Tennessee pharmacies to 19:04:41  Tennessee law enforcement? 19:04:45  A. Not to my knowledge. 19:04:47  Q. Okay. Or to federal law 19:04:51  enforcement with jurisdiction over Tennessee? 19:04:54  A. Well, when we restrict the sale 19:04:57  of the processing of chargebacks to 19:05:01  pharmacies, that's reported to all 19:05:04  distributors and to DEA. 19:05:07  Q. Okay. But other than the DEA, 19:05:09  you didn't reach out to anybody at the 19:05:10  US Attorney's Office for the Eastern District 19:05:12  of Tennessee or anything like that? 19:05:14  A. No. 19:05:16  Q. Okay. Okay. And what about 19:05:20	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Are you familiar with a list 19:07:04  that's called that? 19:07:05  A. Yes. 19:07:06  Q. Okay. And are you responsible 19:07:06  for creating it? 19:07:07  A. No. 19:07:09  Q. Are you responsible for 19:07:10  maintaining it? 19:07:11  A. No. 19:07:11  Q. Do you have input into its 19:07:12  creation? 19:07:14  A. I have input into the 19:07:15  chargeback restriction or recisions. 19:07:20  Q. Okay. 19:07:22  A. And then someone else on our 19:07:22  team creates maintains the list. 19:07:23
2 3 4 5 6 7 8 9 -0 -1 -2 -3 -4 -5 -6 -7 -8 -7 -8 -7 -8 -7 -8 -8 -8 -9 -1 -8 -1 -1 -8 -1 -8 -1 -8 -1 -8 -1 -8 -1 -8 -1 -8 -1 -8 -1 -8 -1 -8 -1 -8 -1 -1 -8 -1 -1 -8 -1 -8 -1 -1 -1 -1 -1 -1 -1 -1 -1 -1 -1 -1 -1	reported any Tennessee pharmacies to 19:04:41  Tennessee law enforcement? 19:04:45  A. Not to my knowledge. 19:04:47  Q. Okay. Or to federal law 19:04:51  enforcement with jurisdiction over Tennessee? 19:04:54  A. Well, when we restrict the sale 19:04:57  of the processing of chargebacks to 19:05:01  pharmacies, that's reported to all 19:05:04  distributors and to DEA. 19:05:07  Q. Okay. But other than the DEA, 19:05:09  you didn't reach out to anybody at the 19:05:10  US Attorney's Office for the Eastern District 19:05:12  of Tennessee or anything like that? 19:05:14  A. No. 19:05:16  Q. Okay. Okay. And what about 19:05:20  Tennessee prescribers? Did you ever report any 19:05:22	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Are you familiar with a list       19:07:04         that's called that?       19:07:05         A.       Yes.       19:07:06         Q.       Okay. And are you responsible       19:07:07         A.       No.       19:07:09         Q.       Are you responsible for       19:07:10         maintaining it?       19:07:11         A.       No.       19:07:11         Q.       Do you have input into its       19:07:12         creation?       19:07:15         chargeback restriction or recisions.       19:07:20         Q.       Okay.       19:07:22         4.       And then someone else on our       19:07:23         4.       And then someone else on our       19:07:23         5.       19:07:23         6.       Okay.       And you have access to       19:07:23
2 3 4 5 6 7 8 9 L0 L1 L2 L3 L4 L5 L6 L7 L8 L9	reported any Tennessee pharmacies to 19:04:41  Tennessee law enforcement? 19:04:45  A. Not to my knowledge. 19:04:47  Q. Okay. Or to federal law 19:04:51  enforcement with jurisdiction over Tennessee? 19:04:54  A. Well, when we restrict the sale 19:04:57  of the processing of chargebacks to 19:05:01  pharmacies, that's reported to all 19:05:04  distributors and to DEA. 19:05:07  Q. Okay. But other than the DEA, 19:05:09  you didn't reach out to anybody at the 19:05:10  US Attorney's Office for the Eastern District 19:05:12  of Tennessee or anything like that? 19:05:14  A. No. 19:05:16  Q. Okay. Okay. And what about 19:05:16  any prescribers? Did you ever report any 19:05:20  Tennessee prescribers to any Tennessee law 19:05:22  enforcement? 19:05:24	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Are you familiar with a list 19:07:04 that's called that? 19:07:05  A. Yes. 19:07:06 Q. Okay. And are you responsible 19:07:06 for creating it? 19:07:07 A. No. 19:07:09 Q. Are you responsible for 19:07:10 maintaining it? 19:07:11 A. No. 19:07:11 Q. Do you have input into its 19:07:12 creation? 19:07:14 A. I have input into the 19:07:15 chargeback restriction or recisions. 19:07:20 Q. Okay. 19:07:22 A. And then someone else on our 19:07:23 team creates maintains the list. 19:07:25 the list? 19:07:26
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	reported any Tennessee pharmacies to 19:04:41  Tennessee law enforcement? 19:04:45  A. Not to my knowledge. 19:04:47  Q. Okay. Or to federal law 19:04:51  enforcement with jurisdiction over Tennessee? 19:04:54  A. Well, when we restrict the sale 19:04:57  of the processing of chargebacks to 19:05:01  pharmacies, that's reported to all 19:05:04  distributors and to DEA. 19:05:07  Q. Okay. But other than the DEA, 19:05:09  you didn't reach out to anybody at the 19:05:10  US Attorney's Office for the Eastern District 19:05:12  of Tennessee or anything like that? 19:05:14  A. No. 19:05:16  Q. Okay. Okay. And what about 19:05:16  any prescribers? Did you ever report any 19:05:20  Tennessee prescribers to any Tennessee law 19:05:22  enforcement? 19:05:25	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Are you familiar with a list 19:07:04 that's called that? 19:07:05  A. Yes. 19:07:06 Q. Okay. And are you responsible 19:07:06 for creating it? 19:07:07 A. No. 19:07:09 Q. Are you responsible for 19:07:10 maintaining it? 19:07:11 A. No. 19:07:11 Q. Do you have input into its 19:07:12 creation? 19:07:14 A. I have input into the 19:07:15 chargeback restriction or recisions. 19:07:20 Q. Okay. 19:07:22 team creates maintains the list. 19:07:23 Q. Okay. And you have access to 19:07:25 the list? 19:07:26 A. Yes. 19:07:26
2 3 4 5 6 7 8 9 110 111 112 113 114 115 116 117 118 119 220 221	reported any Tennessee pharmacies to  Tennessee law enforcement?  A. Not to my knowledge.  Q. Okay. Or to federal law  19:04:47  Q. Okay. Or to federal law  19:04:51  enforcement with jurisdiction over Tennessee?  19:04:54  A. Well, when we restrict the sale  19:04:57  of the processing of chargebacks to  19:05:01  pharmacies, that's reported to all  19:05:04  distributors and to DEA.  19:05:07  Q. Okay. But other than the DEA,  19:05:09  you didn't reach out to anybody at the  19:05:10  US Attorney's Office for the Eastern District  19:05:12  of Tennessee or anything like that?  19:05:14  A. No.  19:05:16  Q. Okay. Okay. And what about  19:05:20  Tennessee prescribers? Did you ever report any  19:05:22  enforcement?  19:05:24  A. Not to my knowledge.  19:05:25  Q. Okay. What about any Tennessee  19:05:26	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Are you familiar with a list       19:07:04         that's called that?       19:07:05         A.       Yes.       19:07:06         Q.       Okay. And are you responsible       19:07:07         A.       No.       19:07:09         Q.       Are you responsible for       19:07:10         maintaining it?       19:07:11         A.       No.       19:07:11         Q.       Do you have input into its       19:07:12         creation?       19:07:14         A.       I have input into the       19:07:15         chargeback restriction or recisions.       19:07:20         Q.       Okay.       19:07:22         team creates maintains the list.       19:07:23         Q.       Okay. And you have access to       19:07:25         the list?       19:07:26         A.       Yes.       19:07:26         A.       Yes.       19:07:26         Q.       Okay. Okay. So looking at       19:07:27
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	reported any Tennessee pharmacies to  Tennessee law enforcement?  A. Not to my knowledge.  Q. Okay. Or to federal law  19:04:47  Q. Okay. Or to federal law  19:04:51  enforcement with jurisdiction over Tennessee?  19:04:54  A. Well, when we restrict the sale  19:04:57  of the processing of chargebacks to  19:05:01  pharmacies, that's reported to all  19:05:04  distributors and to DEA.  19:05:07  Q. Okay. But other than the DEA,  19:05:09  you didn't reach out to anybody at the  19:05:10  US Attorney's Office for the Eastern District  19:05:12  of Tennessee or anything like that?  19:05:14  A. No.  19:05:16  Q. Okay. Okay. And what about  19:05:20  Tennessee prescribers? Did you ever report any  19:05:22  enforcement?  19:05:25  Q. Okay. What about any Tennessee  19:05:26  prescribers to federal law enforcement?  19:05:29	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Are you familiar with a list 19:07:04 that's called that? 19:07:05  A. Yes. 19:07:06 Q. Okay. And are you responsible 19:07:06 for creating it? 19:07:07  A. No. 19:07:09 Q. Are you responsible for 19:07:10 maintaining it? 19:07:11 A. No. 19:07:11 Q. Do you have input into its 19:07:12 creation? 19:07:14 A. I have input into the 19:07:15 chargeback restriction or recisions. 19:07:20 Q. Okay. 19:07:22 A. And then someone else on our 19:07:23 Q. Okay. And you have access to 19:07:25 the list? 19:07:26 A. Yes. 19:07:26 Q. Okay. Okay. So looking at 19:07:27 this list, does it look like that is what it 19:07:28
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	reported any Tennessee pharmacies to  Tennessee law enforcement?  A. Not to my knowledge.  Q. Okay. Or to federal law  19:04:47  Q. Okay. Or to federal law  19:04:51  enforcement with jurisdiction over Tennessee?  19:04:54  A. Well, when we restrict the sale  19:04:57  of the processing of chargebacks to  19:05:01  pharmacies, that's reported to all  19:05:04  distributors and to DEA.  19:05:07  Q. Okay. But other than the DEA,  19:05:09  you didn't reach out to anybody at the  19:05:10  US Attorney's Office for the Eastern District  19:05:12  of Tennessee or anything like that?  19:05:14  A. No.  19:05:16  Q. Okay. Okay. And what about  19:05:16  any prescribers? Did you ever report any  19:05:20  Tennessee prescribers to any Tennessee law  19:05:22  enforcement?  19:05:25  Q. Okay. What about any Tennessee  19:05:26  prescribers to federal law enforcement?  19:05:29  A. Not to my knowledge.  19:05:31	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Are you familiar with a list 19:07:04 that's called that? 19:07:05  A. Yes. 19:07:06 Q. Okay. And are you responsible 19:07:06 for creating it? 19:07:07 A. No. 19:07:09 Q. Are you responsible for 19:07:10 maintaining it? 19:07:11 A. No. 19:07:11 Q. Do you have input into its 19:07:12 creation? 19:07:14 A. I have input into the 19:07:15 chargeback restriction or recisions. 19:07:20 Q. Okay. 19:07:22 A. And then someone else on our 19:07:22 team creates maintains the list. 19:07:23 Q. Okay. And you have access to 19:07:25 the list? 19:07:26 A. Yes. 19:07:26 Q. Okay. Okay. So looking at 19:07:27 this list, does it look like that is what it 19:07:28 is, Mallinckrodt chargeback restriction and 19:07:28
2 3 4 5 6 7 8	reported any Tennessee pharmacies to  Tennessee law enforcement?  A. Not to my knowledge.  Q. Okay. Or to federal law  19:04:47  Q. Okay. Or to federal law  19:04:51  enforcement with jurisdiction over Tennessee?  19:04:54  A. Well, when we restrict the sale  19:04:57  of the processing of chargebacks to  19:05:01  pharmacies, that's reported to all  19:05:04  distributors and to DEA.  19:05:07  Q. Okay. But other than the DEA,  19:05:09  you didn't reach out to anybody at the  19:05:10  US Attorney's Office for the Eastern District  19:05:12  of Tennessee or anything like that?  19:05:14  A. No.  19:05:16  Q. Okay. Okay. And what about  19:05:20  Tennessee prescribers? Did you ever report any  19:05:22  enforcement?  19:05:25  Q. Okay. What about any Tennessee  19:05:26  prescribers to federal law enforcement?  19:05:29	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Are you familiar with a list 19:07:04  that's called that? 19:07:05  A. Yes. 19:07:06  Q. Okay. And are you responsible 19:07:06  for creating it? 19:07:07  A. No. 19:07:09  Q. Are you responsible for 19:07:10  maintaining it? 19:07:11  A. No. 19:07:11  Q. Do you have input into its 19:07:12  creation? 19:07:14  A. I have input into the 19:07:15  chargeback restriction or recisions. 19:07:20  Q. Okay. 19:07:22  A. And then someone else on our 19:07:23  Q. Okay. And you have access to 19:07:25  the list? 19:07:26  A. Yes. 19:07:26  Q. Okay. Okay. So looking at 19:07:27  this list, does it look like that is what it 19:07:28

	Page 498		Page 500
1	Q. And it shows one, two, three, 19:07:35	1	Google Alerts and other information, you were 19:10:52
2	four, five, six, seven, eight, it looks like, 19:07:42	2	aware that doctors were being arrested in 19:10:54
3	eight pharmacies that are on that list. 19:07:50	3	Tennessee for improperly prescribing 19:10:57
4	Does that look correct to you? 19:07:52	4	oxycodone; is that correct? 19:11:01
5	A. Yes. 19:07:53	5	A. Yes. 19:11:02
6	Q. Okay. And of that chargeback 19:07:55	6	Q. Okay. And based on those 19:11:07
7	list, it looks like five were reinstated; is 19:08:11	7	Google Alerts and other information, you also 19:11:10
8	that correct? 19:08:14	8	knew that some pharmacies were filling 19:11:11
9	A. Yes. 19:08:14	9	improper prescriptions in Tennessee for 19:11:14
10	Q. Okay. And if there were 19:08:15	10	oxycodone; is that correct? 19:11:16
11	pharmacies that were put on chargeback 19:08:18	11	MR. O'CONNOR: Objection to 19:11:17
12	restriction in Tennessee, they would appear 19:08:19	12	form. 19:11:18
13	on this list; is that right? 19:08:21	13	THE WITNESS: Yes. 19:11:18
14	A. I'm assuming that the sort is 19:08:22	14	QUESTIONS BY MS. HERZFELD: 19:11:19
15	correct, but given that, yes, they would be 19:08:25	15	Q. Okay. Okay. And when you 19:11:19
16	on this list. 19:08:27	16	talked earlier about chargeback data, I just 19:11:22
17	Q. Okay. And each one of these 19:08:28	17	want to make sure I understand that a little 19:11:24
18	pharmacies that were put on chargeback 19:08:31	18	bit. 19:11:27
19	restriction would have been reported to the 19:08:32	19	You can sort chargeback data in 19:11:27
20	DEA? 19:08:34	20	all sorts of different ways, right? 19:11:29
21	A. Yes. 19:08:34	21	A. Yes. 19:11:30
22	Q. Okay. You can set that one 19:08:35	22	Q. Okay. So you can sort it, I 19:11:30
23	aside, please, ma'am. 19:08:38	23	think we talked about, by state; is that 19:11:32
24	Ma'am, was someone on your team 19:09:12	24	correct? 19:11:35
25	responsible for checking with the Tennessee 19:09:14	25	A. Yes. 19:11:35
	Page 499		Page 501
1	boards of medical examiners or the Tennessee 19:09:16	1	Q. Okay. And can you sort it by 19:11:36
2	Board of Pharmacy about specific pharmacies? 19:09:19	2	time various time periods? 19:11:39
3	A. John Gillies, our vice 19:09:23	3	A. Yes. 19:11:41
4			
	president of security, may have done that, 19:09:30	4	Q. Okay. And can you sort it by 19:11:42
5	but I don't know he's retired from the 19:09:33	4 5	Q. Okay. And can you sort it by 19:11:42 ZIP code? 19:11:44
	but I don't know he's retired from the 19:09:33	5	ZIP code? 19:11:44
6	but I don't know he's retired from the 19:09:33 FBI, so he had different resources than the 19:09:39	5	ZIP code? 19:11:44 A. Yes. 19:11:45
6 7	but I don't know he's retired from the 19:09:33 FBI, so he had different resources than the 19:09:39 rest of the team. And some of his 19:09:42	5 6 7	ZIP code? 19:11:44  A. Yes. 19:11:45  Q. Okay. And you can sort it by 19:11:46
6 7 8 9	but I don't know he's retired from the 19:09:33 FBI, so he had different resources than the 19:09:39 rest of the team. And some of his 19:09:42 contributions to the team we didn't under 19:09:45	5 6 7 8	ZIP code? 19:11:44  A. Yes. 19:11:45  Q. Okay. And you can sort it by 19:11:46  per capita? 19:11:49
6 7 8 9	but I don't know he's retired from the 19:09:33 FBI, so he had different resources than the 19:09:39 rest of the team. And some of his 19:09:42 contributions to the team we didn't under 19:09:45 know his methodology or have that pathway. 19:09:51	5 6 7 8	ZIP code? 19:11:44  A. Yes. 19:11:45  Q. Okay. And you can sort it by 19:11:46  per capita? 19:11:49  MR. O'CONNOR: Objection to 19:11:51
6 7 8 9 10	but I don't know he's retired from the 19:09:33 FBI, so he had different resources than the 19:09:39 rest of the team. And some of his 19:09:42 contributions to the team we didn't under 19:09:45 know his methodology or have that pathway. 19:09:51 Q. Okay. But to your knowledge, 19:09:55	5 6 7 8 9	ZIP code? 19:11:44  A. Yes. 19:11:45  Q. Okay. And you can sort it by 19:11:46  per capita? 19:11:49  MR. O'CONNOR: Objection to 19:11:51  form. 19:11:53
6 7 8 9 10 11	but I don't know he's retired from the 19:09:33 FBI, so he had different resources than the 19:09:39 rest of the team. And some of his 19:09:42 contributions to the team we didn't under 19:09:45 know his methodology or have that pathway. 19:09:51 Q. Okay. But to your knowledge, 19:09:55 he didn't routinely nobody routinely 19:09:56	5 6 7 8 9 10 11	ZIP code? 19:11:44  A. Yes. 19:11:45  Q. Okay. And you can sort it by 19:11:46  per capita? 19:11:49  MR. O'CONNOR: Objection to 19:11:51  form. 19:11:53  THE WITNESS: We did that for a 19:11:53  period of time. 19:11:55
6 7 8 9 10 11 12	but I don't know he's retired from the 19:09:33  FBI, so he had different resources than the 19:09:39  rest of the team. And some of his 19:09:42  contributions to the team we didn't under 19:09:45  know his methodology or have that pathway. 19:09:51  Q. Okay. But to your knowledge, 19:09:55  he didn't routinely nobody routinely 19:09:56  checked with the various state boards of 19:10:00	5 6 7 8 9 10 11 12	ZIP code? 19:11:44  A. Yes. 19:11:45  Q. Okay. And you can sort it by 19:11:46  per capita? 19:11:49  MR. O'CONNOR: Objection to 19:11:51  form. 19:11:53  THE WITNESS: We did that for a 19:11:53  period of time. 19:11:55
6 7 8 9 10 11 11 12	but I don't know he's retired from the 19:09:33  FBI, so he had different resources than the 19:09:39  rest of the team. And some of his 19:09:42  contributions to the team we didn't under 19:09:45  know his methodology or have that pathway. 19:09:51  Q. Okay. But to your knowledge, 19:09:55  he didn't routinely nobody routinely 19:09:56  checked with the various state boards of 19:10:00  licensing for pharmacies to find out what's 19:10:03	5 6 7 8 9 10 11 12 13	ZIP code? 19:11:44  A. Yes. 19:11:45  Q. Okay. And you can sort it by 19:11:46  per capita? 19:11:49  MR. O'CONNOR: Objection to 19:11:51  form. 19:11:53  THE WITNESS: We did that for a 19:11:53  period of time. 19:11:55  QUESTIONS BY MS. HERZFELD: 19:11:57
6 7 8 9 10 11 12 13 14	but I don't know he's retired from the 19:09:33 FBI, so he had different resources than the 19:09:39 rest of the team. And some of his 19:09:42 contributions to the team we didn't under 19:09:45 know his methodology or have that pathway. 19:09:51 Q. Okay. But to your knowledge, 19:09:55 he didn't routinely nobody routinely 19:09:56 checked with the various state boards of 19:10:00 licensing for pharmacies to find out what's 19:10:03 going on with pharmacies in a particular 19:10:05	5 6 7 8 9 10 11 12 13	ZIP code? 19:11:44  A. Yes. 19:11:45  Q. Okay. And you can sort it by 19:11:46  per capita? 19:11:49  MR. O'CONNOR: Objection to 19:11:51  form. 19:11:53  THE WITNESS: We did that for a 19:11:53  period of time. 19:11:55  QUESTIONS BY MS. HERZFELD: 19:11:57  Q. Okay. 19:11:57
6 7 8 9 110 111 112 113 114 115	but I don't know he's retired from the 19:09:33  FBI, so he had different resources than the 19:09:39  rest of the team. And some of his 19:09:42  contributions to the team we didn't under 19:09:45  know his methodology or have that pathway. 19:09:51  Q. Okay. But to your knowledge, 19:09:55  he didn't routinely nobody routinely 19:09:56  checked with the various state boards of 19:10:00  licensing for pharmacies to find out what's 19:10:03  going on with pharmacies in a particular 19:10:05  state? 19:10:08	5 6 7 8 9 10 11 12 13 14 15	ZIP code? 19:11:44  A. Yes. 19:11:45  Q. Okay. And you can sort it by 19:11:46  per capita? 19:11:49  MR. O'CONNOR: Objection to 19:11:51  form. 19:11:53  THE WITNESS: We did that for a 19:11:53  period of time. 19:11:55  QUESTIONS BY MS. HERZFELD: 19:11:57  Q. Okay. 19:11:57  A. We know I don't believe that 19:11:58
6 7 8 9 10 11 12 13 14 15 16	but I don't know he's retired from the 19:09:33  FBI, so he had different resources than the 19:09:39  rest of the team. And some of his 19:09:42  contributions to the team we didn't under 19:09:45  know his methodology or have that pathway. 19:09:51  Q. Okay. But to your knowledge, 19:09:55  he didn't routinely nobody routinely 19:09:56  checked with the various state boards of 19:10:00  licensing for pharmacies to find out what's 19:10:03  going on with pharmacies in a particular 19:10:05  state? 19:10:08  MR. O'CONNOR: Object to form. 19:10:09	5 6 7 8 9 10 11 12 13 14 15	ZIP code? 19:11:44  A. Yes. 19:11:45  Q. Okay. And you can sort it by 19:11:46  per capita? 19:11:49  MR. O'CONNOR: Objection to 19:11:51  form. 19:11:53  THE WITNESS: We did that for a 19:11:53  period of time. 19:11:55  QUESTIONS BY MS. HERZFELD: 19:11:57  Q. Okay. 19:11:57  A. We know I don't believe that 19:11:58  we currently use the per capita information. 19:11:59
6 7 8 9 110 111 112 113 114 115 116 117	but I don't know he's retired from the 19:09:33 FBI, so he had different resources than the 19:09:39 rest of the team. And some of his 19:09:42 contributions to the team we didn't under 19:09:45 know his methodology or have that pathway. 19:09:51 Q. Okay. But to your knowledge, 19:09:55 he didn't routinely nobody routinely 19:09:56 checked with the various state boards of 19:10:00 licensing for pharmacies to find out what's 19:10:03 going on with pharmacies in a particular 19:10:05 state? 19:10:08 MR. O'CONNOR: Object to form. 19:10:09 THE WITNESS: Correct. 19:10:09	5 6 7 8 9 10 11 12 13 14 15 16	ZIP code? 19:11:44  A. Yes. 19:11:45  Q. Okay. And you can sort it by 19:11:46  per capita? 19:11:49  MR. O'CONNOR: Objection to 19:11:51  form. 19:11:53  THE WITNESS: We did that for a 19:11:53  period of time. 19:11:55  QUESTIONS BY MS. HERZFELD: 19:11:57  Q. Okay. 19:11:57  A. We know I don't believe that 19:11:58  we currently use the per capita information. 19:11:59  Q. Okay. Do you know when you 19:12:01
6 7 8 9 10 11 12 13 14 15 16 17 18	but I don't know he's retired from the 19:09:33 FBI, so he had different resources than the 19:09:39 rest of the team. And some of his 19:09:42 contributions to the team we didn't under 19:09:45 know his methodology or have that pathway. 19:09:51 Q. Okay. But to your knowledge, 19:09:55 he didn't routinely nobody routinely 19:09:56 checked with the various state boards of 19:10:00 licensing for pharmacies to find out what's 19:10:03 going on with pharmacies in a particular 19:10:05 state? 19:10:08 MR. O'CONNOR: Object to form. 19:10:09 THE WITNESS: Correct. 19:10:09 QUESTIONS BY MS. HERZFELD: 19:10:10	5 6 7 8 9 10 11 12 13 14 15 16 17 18	ZIP code? 19:11:44  A. Yes. 19:11:45  Q. Okay. And you can sort it by 19:11:46  per capita? 19:11:49  MR. O'CONNOR: Objection to 19:11:51  form. 19:11:53  THE WITNESS: We did that for a 19:11:53  period of time. 19:11:55  QUESTIONS BY MS. HERZFELD: 19:11:57  Q. Okay. 19:11:57  A. We know I don't believe that 19:11:58  we currently use the per capita information. 19:11:59  Q. Okay. Do you know when you 19:12:01  stopped using the per capita information? 19:12:03
6 7 8 9 110 111 112 113 114 115 116 117 118 119 220	but I don't know he's retired from the 19:09:33 FBI, so he had different resources than the 19:09:39 rest of the team. And some of his 19:09:42 contributions to the team we didn't under 19:09:45 know his methodology or have that pathway. 19:09:51 Q. Okay. But to your knowledge, 19:09:55 he didn't routinely nobody routinely 19:09:56 checked with the various state boards of 19:10:00 licensing for pharmacies to find out what's 19:10:03 going on with pharmacies in a particular 19:10:05 state? 19:10:08 MR. O'CONNOR: Object to form. 19:10:09 THE WITNESS: Correct. 19:10:09 QUESTIONS BY MS. HERZFELD: 19:10:10	5 6 7 8 9 10 11 12 13 14 15 16 17 18	ZIP code? 19:11:44  A. Yes. 19:11:45  Q. Okay. And you can sort it by 19:11:46  per capita? 19:11:49  MR. O'CONNOR: Objection to 19:11:51  form. 19:11:53  THE WITNESS: We did that for a 19:11:53  period of time. 19:11:55  QUESTIONS BY MS. HERZFELD: 19:11:57  A. We know I don't believe that 19:11:58  we currently use the per capita information. 19:11:59  Q. Okay. Do you know when you 19:12:01  stopped using the per capita information? 19:12:03  A. I'm so sorry, I do not. 19:12:05
6 7 8 9 10 111 112 113 114 115 116 117 118 119 220	but I don't know he's retired from the 19:09:33 FBI, so he had different resources than the 19:09:39 rest of the team. And some of his 19:09:42 contributions to the team we didn't under 19:09:45 know his methodology or have that pathway. 19:09:51 Q. Okay. But to your knowledge, 19:09:55 he didn't routinely nobody routinely 19:09:56 checked with the various state boards of 19:10:00 licensing for pharmacies to find out what's 19:10:03 going on with pharmacies in a particular 19:10:05 state? 19:10:08  MR. O'CONNOR: Object to form. 19:10:09 THE WITNESS: Correct. 19:10:09 QUESTIONS BY MS. HERZFELD: 19:10:10 licensing boards for each state? Was there 19:10:12 routine audit of the doctor licensing boards 19:10:14	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	ZIP code? 19:11:44  A. Yes. 19:11:45  Q. Okay. And you can sort it by 19:11:46 per capita? 19:11:49  MR. O'CONNOR: Objection to 19:11:51 form. 19:11:53  THE WITNESS: We did that for a 19:11:53 period of time. 19:11:55  QUESTIONS BY MS. HERZFELD: 19:11:57  Q. Okay. 19:11:57  A. We know I don't believe that 19:11:58 we currently use the per capita information. 19:11:59 Q. Okay. Do you know when you 19:12:01 stopped using the per capita information? 19:12:03  A. I'm so sorry, I do not. 19:12:05 Q. Okay. Do you know why you 19:12:08
6 7 8 9 10 111 112 113 114 115 116 117 118 119 220 221	but I don't know he's retired from the 19:09:33 FBI, so he had different resources than the 19:09:39 rest of the team. And some of his 19:09:42 contributions to the team we didn't under 19:09:45 know his methodology or have that pathway. 19:09:51 Q. Okay. But to your knowledge, 19:09:55 he didn't routinely nobody routinely 19:09:56 checked with the various state boards of 19:10:00 licensing for pharmacies to find out what's 19:10:03 going on with pharmacies in a particular 19:10:05 state? 19:10:08 MR. O'CONNOR: Object to form. 19:10:09 THE WITNESS: Correct. 19:10:09 QUESTIONS BY MS. HERZFELD: 19:10:10 licensing boards for each state? Was there 19:10:12 routine audit of the doctor licensing boards 19:10:14 of each state within your team, to your 19:10:17	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	ZIP code? 19:11:44  A. Yes. 19:11:45  Q. Okay. And you can sort it by 19:11:46  per capita? 19:11:49  MR. O'CONNOR: Objection to 19:11:51  form. 19:11:53  THE WITNESS: We did that for a 19:11:53  period of time. 19:11:55  QUESTIONS BY MS. HERZFELD: 19:11:57  A. We know I don't believe that 19:11:58  we currently use the per capita information. 19:11:59  Q. Okay. Do you know when you 19:12:01  stopped using the per capita information? 19:12:03  A. I'm so sorry, I do not. 19:12:05  Q. Okay. Do you know why you 19:12:08  stopped using the per capita information? 19:12:08  A. I do not. 19:12:10
6 7 8	but I don't know he's retired from the 19:09:33 FBI, so he had different resources than the 19:09:39 rest of the team. And some of his 19:09:42 contributions to the team we didn't under 19:09:45 know his methodology or have that pathway. 19:09:51 Q. Okay. But to your knowledge, 19:09:55 he didn't routinely nobody routinely 19:09:56 checked with the various state boards of 19:10:00 licensing for pharmacies to find out what's 19:10:03 going on with pharmacies in a particular 19:10:05 state? 19:10:08  MR. O'CONNOR: Object to form. 19:10:09 THE WITNESS: Correct. 19:10:09 QUESTIONS BY MS. HERZFELD: 19:10:10 licensing boards for each state? Was there 19:10:12 routine audit of the doctor licensing boards 19:10:14	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	ZIP code? 19:11:44  A. Yes. 19:11:45  Q. Okay. And you can sort it by 19:11:46  per capita? 19:11:49  MR. O'CONNOR: Objection to 19:11:51  form. 19:11:53  THE WITNESS: We did that for a 19:11:53  period of time. 19:11:55  QUESTIONS BY MS. HERZFELD: 19:11:57  Q. Okay. 19:11:57  A. We know I don't believe that 19:11:58  we currently use the per capita information. 19:11:59  Q. Okay. Do you know when you 19:12:01  stopped using the per capita information? 19:12:03  A. I'm so sorry, I do not. 19:12:05  Q. Okay. Do you know why you 19:12:08  stopped using the per capita information? 19:12:08

	Page 502		Page 504
1	Q. Okay. And I think you said 19:12:17	1	Do you know why Tennessee was 19:16:00
2	before if you wanted to, and for a period of 19:12:19	2	one of those states? 19:16:01
3	time you did, monitor physicians via IMS 19:12:23	3	A. So our program monitors all 19:16:02
4	data? 19:12:27	4	states, all 50 states. 19:16:08
5	MR. O'CONNOR: Objection. 19:12:27	5	Q. Okay. But at some point were 19:16:10
6	THE WITNESS: Yes. 19:12:28	6	Kentucky, Tennessee, Ohio, Florida and Texas 19:16:12
7	(Mallinckrodt-Harper Exhibit 37 19:13:25	7	singled out for specific review? 19:16:20
8	marked for identification.) 19:13:26	8	A. I don't recall. 19:16:22
9	QUESTIONS BY MS. HERZFELD: 19:13:26	9	(Mallinckrodt-Harper Exhibit 38 19:16:22
10	Q. Okay. Ms. Harper, I am going 19:13:27	10	marked for identification.) 19:16:59
11	to mark you hand you what we will mark as 19:13:31	11	QUESTIONS BY MS. HERZFELD: 19:16:59
12	plaintiff's next exhibit, which is number 37. 19:13:33	12	Q. Okay. I'm going to hand you 19:16:22
13	For the record, it's 19:13:37	13	what we will mark as Plaintiff's Exhibit 38. 19:16:57
14	MNK_TNSTA05340154. It is a two-page 19:13:43	14	It's MNK_TNSTA05337163. 19:17:00
15	document. 19:13:50	15	Okay. And is this an e-mail 19:17:07
16	You want to start from the back 19:14:01	16	that you sent on May 13, 2011? 19:17:36
17	forward. Oh, you've got it. Good. Very 19:14:02	17	A. Yes. 19:17:40
18	good. 19:14:04	18	Q. Okay. And with it, it looks 19:17:43
19	A. Yes, ma'am. 19:14:04	19	like the attachments are oxy percentage of 19:17:45
20	Q. Great. Thank you. 19:14:05	20	sales by dist state master spreadsheet and 19:17:48
21	And take your time. Read 19:14:07	21	hydro percentage of sales by state master 19:17:52
22	through it. 19:14:11	22	spreadsheet. 19:17:55
23	MR. O'CONNOR: Counsel, can we 19:14:39	23	Do you see where I'm at? 19:17:55  A. Yes. 19:17:56
24	go off the record for a minute? 19:14:41	24	
25	MS. HERZFELD: Sure. 19:14:42	25	Q. Okay. And it says, "Georgia 19:17:57
	Page 503		Page 505
1	VIDEOGRAPHER: We are going off 19:14:43	1	has been added to the statistics per Pat's 19:18:00
2	the record at 7:14 p.m. 19:14:44	2	request." 19:18:03
	(Off the record at 7:14 p.m.) 19:14:46		D'11 14 4 4 9 10 10 02
3	(Off the record at 7:14 p.m.) 19:14:46	3	Did I read that correctly? 19:18:03
3 4	VIDEOGRAPHER: We are back on 19:15:26	3 4	A. Yes. 19:18:04
	VIDEOGRAPHER: We are back on 19:15:26 the record at 7:15 p.m. 19:15:27		A. Yes. 19:18:04 Q. Who's Pat? 19:18:04
4	VIDEOGRAPHER: We are back on 19:15:26	4	A. Yes. 19:18:04
4 5	VIDEOGRAPHER: We are back on 19:15:26 the record at 7:15 p.m. 19:15:27	4 5	A. Yes. 19:18:04 Q. Who's Pat? 19:18:04 A. She's one of our attorneys. 19:18:04 Q. Okay. And you know 19:18:07
4 5 6	VIDEOGRAPHER: We are back on 19:15:26 the record at 7:15 p.m. 19:15:27 MR. O'CONNOR: And, Counsel, as 19:15:29 we discussed, I'm going to object to 19:15:30 the use of this document. It appears 19:15:33	4 5 6	A. Yes. 19:18:04 Q. Who's Pat? 19:18:04 A. She's one of our attorneys. 19:18:04
4 5 6 7	VIDEOGRAPHER: We are back on 19:15:26 the record at 7:15 p.m. 19:15:27 MR. O'CONNOR: And, Counsel, as 19:15:29 we discussed, I'm going to object to 19:15:30 the use of this document. It appears 19:15:33 to be protected by the attorney-client 19:15:34	4 5 6 7	A. Yes. 19:18:04 Q. Who's Pat? 19:18:04 A. She's one of our attorneys. 19:18:04 Q. Okay. And you know 19:18:07 Tennessee if you'll look with me to the 19:18:11 second page, you'll see a chart that talks 19:18:13
4 5 6 7 8	VIDEOGRAPHER: We are back on 19:15:26 the record at 7:15 p.m. 19:15:27 MR. O'CONNOR: And, Counsel, as 19:15:29 we discussed, I'm going to object to 19:15:30 the use of this document. It appears 19:15:33 to be protected by the attorney-client 19:15:34 privilege and was inadvertently 19:15:37	4 5 6 7 8	A. Yes. 19:18:04 Q. Who's Pat? 19:18:04 A. She's one of our attorneys. 19:18:04 Q. Okay. And you know 19:18:07 Tennessee if you'll look with me to the 19:18:11 second page, you'll see a chart that talks 19:18:13 about the personnel of hydrocodone sales in 19:18:24
4 5 6 7 8 9 10	VIDEOGRAPHER: We are back on 19:15:26 the record at 7:15 p.m. 19:15:27 MR. O'CONNOR: And, Counsel, as 19:15:29 we discussed, I'm going to object to 19:15:30 the use of this document. It appears 19:15:33 to be protected by the attorney-client 19:15:34 privilege and was inadvertently 19:15:37 produced, and we'll be making a 19:15:37	4 5 6 7 8 9 10	A. Yes. 19:18:04 Q. Who's Pat? 19:18:04 A. She's one of our attorneys. 19:18:04 Q. Okay. And you know 19:18:07 Tennessee if you'll look with me to the 19:18:11 second page, you'll see a chart that talks 19:18:13 about the personnel of hydrocodone sales in 19:18:24 Tennessee from 10/2007 till 2/1/2011. 19:18:25
4 5 6 7 8 9 10 11 12	VIDEOGRAPHER: We are back on 19:15:26 the record at 7:15 p.m. 19:15:27 MR. O'CONNOR: And, Counsel, as 19:15:29 we discussed, I'm going to object to 19:15:30 the use of this document. It appears 19:15:33 to be protected by the attorney-client 19:15:34 privilege and was inadvertently 19:15:37 produced, and we'll be making a 19:15:37 clawback request to retrieve the 19:15:39	4 5 6 7 8 9	A. Yes. 19:18:04 Q. Who's Pat? 19:18:04 A. She's one of our attorneys. 19:18:04 Q. Okay. And you know 19:18:07 Tennessee if you'll look with me to the 19:18:11 second page, you'll see a chart that talks 19:18:13 about the personnel of hydrocodone sales in 19:18:24 Tennessee from 10/2007 till 2/1/2011. 19:18:25 Do you see where I'm at? 19:18:31
4 5 6 7 8 9 10 11 12 13	VIDEOGRAPHER: We are back on 19:15:26 the record at 7:15 p.m. 19:15:27 MR. O'CONNOR: And, Counsel, as 19:15:29 we discussed, I'm going to object to 19:15:30 the use of this document. It appears 19:15:33 to be protected by the attorney-client 19:15:34 privilege and was inadvertently 19:15:37 produced, and we'll be making a 19:15:37 clawback request to retrieve the 19:15:39 document. 19:15:40	4 5 6 7 8 9 10	A. Yes. 19:18:04 Q. Who's Pat? 19:18:04 A. She's one of our attorneys. 19:18:04 Q. Okay. And you know 19:18:07 Tennessee if you'll look with me to the 19:18:11 second page, you'll see a chart that talks 19:18:13 about the personnel of hydrocodone sales in 19:18:24 Tennessee from 10/2007 till 2/1/2011. 19:18:25 Do you see where I'm at? 19:18:31 A. Yes. 19:18:32
4 5 6 7 8 9 10 11 12 13	VIDEOGRAPHER: We are back on 19:15:26 the record at 7:15 p.m. 19:15:27  MR. O'CONNOR: And, Counsel, as 19:15:29 we discussed, I'm going to object to 19:15:30 the use of this document. It appears 19:15:33 to be protected by the attorney-client 19:15:34 privilege and was inadvertently 19:15:37 produced, and we'll be making a 19:15:37 clawback request to retrieve the 19:15:39 document. 19:15:40  MS. HERZFELD: Okay. And we'll 19:15:41	4 5 6 7 8 9 10 11 12 13	A. Yes. 19:18:04  Q. Who's Pat? 19:18:04  A. She's one of our attorneys. 19:18:04  Q. Okay. And you know 19:18:07  Tennessee if you'll look with me to the 19:18:11 second page, you'll see a chart that talks 19:18:13 about the personnel of hydrocodone sales in 19:18:24  Tennessee from 10/2007 till 2/1/2011. 19:18:25  Do you see where I'm at? 19:18:31  A. Yes. 19:18:32  Q. Okay. Do you know why the 19:18:33
4 5 6 7 8 9 10 11 12 13 14	VIDEOGRAPHER: We are back on 19:15:26 the record at 7:15 p.m. 19:15:27  MR. O'CONNOR: And, Counsel, as 19:15:29 we discussed, I'm going to object to 19:15:30 the use of this document. It appears 19:15:33 to be protected by the attorney-client 19:15:34 privilege and was inadvertently 19:15:37 produced, and we'll be making a 19:15:37 clawback request to retrieve the 19:15:39 document. 19:15:40  MS. HERZFELD: Okay. And we'll 19:15:41 discuss it at a later time. 19:15:43	4 5 6 7 8 9 10 11 12 13 14 15	A. Yes. 19:18:04 Q. Who's Pat? 19:18:04 A. She's one of our attorneys. 19:18:04 Q. Okay. And you know 19:18:07 Tennessee if you'll look with me to the 19:18:11 second page, you'll see a chart that talks 19:18:13 about the personnel of hydrocodone sales in 19:18:24 Tennessee from 10/2007 till 2/1/2011. 19:18:25 Do you see where I'm at? 19:18:31 A. Yes. 19:18:32 Q. Okay. Do you know why the 19:18:33 percentage of hydrocodone sales were being 19:18:34
4 5 6 7 8 9 10 11 12 13 14 15 16	VIDEOGRAPHER: We are back on 19:15:26 the record at 7:15 p.m. 19:15:27  MR. O'CONNOR: And, Counsel, as 19:15:29 we discussed, I'm going to object to 19:15:30 the use of this document. It appears 19:15:33 to be protected by the attorney-client 19:15:34 privilege and was inadvertently 19:15:37 produced, and we'll be making a 19:15:37 clawback request to retrieve the 19:15:39 document. 19:15:40  MS. HERZFELD: Okay. And we'll 19:15:41 discuss it at a later time. 19:15:43 I just have one question for 19:15:44	4 5 6 7 8 9 10 11 12 13 14 15	A. Yes. 19:18:04  Q. Who's Pat? 19:18:04  A. She's one of our attorneys. 19:18:04  Q. Okay. And you know 19:18:07  Tennessee if you'll look with me to the 19:18:11 second page, you'll see a chart that talks 19:18:13 about the personnel of hydrocodone sales in 19:18:24  Tennessee from 10/2007 till 2/1/2011. 19:18:25  Do you see where I'm at? 19:18:31  A. Yes. 19:18:32  Q. Okay. Do you know why the 19:18:33 percentage of hydrocodone sales were being 19:18:34 monitored in Tennessee? 19:18:36
4 5 6 7 8 9 10 11 12 13 14 15 16	VIDEOGRAPHER: We are back on 19:15:26 the record at 7:15 p.m. 19:15:27  MR. O'CONNOR: And, Counsel, as 19:15:29 we discussed, I'm going to object to 19:15:30 the use of this document. It appears 19:15:33 to be protected by the attorney-client 19:15:34 privilege and was inadvertently 19:15:37 produced, and we'll be making a 19:15:37 clawback request to retrieve the 19:15:39 document. 19:15:40  MS. HERZFELD: Okay. And we'll 19:15:41 discuss it at a later time. 19:15:43 I just have one question for 19:15:44 you, ma'am. 19:15:46	4 5 6 7 8 9 10 11 12 13 14 15 16	A. Yes. 19:18:04  Q. Who's Pat? 19:18:04  A. She's one of our attorneys. 19:18:04  Q. Okay. And you know 19:18:07  Tennessee if you'll look with me to the 19:18:11 second page, you'll see a chart that talks 19:18:13 about the personnel of hydrocodone sales in 19:18:24  Tennessee from 10/2007 till 2/1/2011. 19:18:25  Do you see where I'm at? 19:18:31  A. Yes. 19:18:32  Q. Okay. Do you know why the 19:18:33 percentage of hydrocodone sales were being 19:18:34 monitored in Tennessee? 19:18:36  A. So I'd like to note, please, 19:18:37
4 5 6 7 8 9 10 11 12 13 14 15 16 17	VIDEOGRAPHER: We are back on 19:15:26 the record at 7:15 p.m. 19:15:27  MR. O'CONNOR: And, Counsel, as 19:15:29 we discussed, I'm going to object to 19:15:30 the use of this document. It appears 19:15:33 to be protected by the attorney-client 19:15:34 privilege and was inadvertently 19:15:37 produced, and we'll be making a 19:15:37 clawback request to retrieve the 19:15:39 document. 19:15:40  MS. HERZFELD: Okay. And we'll 19:15:41 discuss it at a later time. 19:15:43 I just have one question for 19:15:44 you, ma'am. 19:15:46  QUESTIONS BY MS. HERZFELD: 19:15:46	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. Yes. 19:18:04  Q. Who's Pat? 19:18:04  A. She's one of our attorneys. 19:18:04  Q. Okay. And you know 19:18:07  Tennessee if you'll look with me to the 19:18:11 second page, you'll see a chart that talks 19:18:13 about the personnel of hydrocodone sales in 19:18:24  Tennessee from 10/2007 till 2/1/2011. 19:18:25  Do you see where I'm at? 19:18:31  A. Yes. 19:18:32  Q. Okay. Do you know why the 19:18:33 percentage of hydrocodone sales were being 19:18:34 monitored in Tennessee? 19:18:36  A. So I'd like to note, please, 19:18:37 from where this graph came. Was it part of 19:18:42
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	VIDEOGRAPHER: We are back on 19:15:26 the record at 7:15 p.m. 19:15:27  MR. O'CONNOR: And, Counsel, as 19:15:29 we discussed, I'm going to object to 19:15:30 the use of this document. It appears 19:15:33 to be protected by the attorney-client 19:15:34 privilege and was inadvertently 19:15:37 produced, and we'll be making a 19:15:37 clawback request to retrieve the 19:15:39 document. 19:15:40  MS. HERZFELD: Okay. And we'll 19:15:41 discuss it at a later time. 19:15:43 I just have one question for 19:15:44 you, ma'am. 19:15:46 QUESTIONS BY MS. HERZFELD: 19:15:46 Q. Do you know if Tennessee was a 19:15:47	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. Yes. 19:18:04  Q. Who's Pat? 19:18:04  A. She's one of our attorneys. 19:18:04  Q. Okay. And you know 19:18:07  Tennessee if you'll look with me to the 19:18:11 second page, you'll see a chart that talks 19:18:13 about the personnel of hydrocodone sales in 19:18:24  Tennessee from 10/2007 till 2/1/2011. 19:18:25  Do you see where I'm at? 19:18:31  A. Yes. 19:18:32  Q. Okay. Do you know why the 19:18:33 percentage of hydrocodone sales were being 19:18:34 monitored in Tennessee? 19:18:36  A. So I'd like to note, please, 19:18:37 from where this graph came. Was it part of 19:18:42 this packet? 19:18:45
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	VIDEOGRAPHER: We are back on 19:15:26 the record at 7:15 p.m. 19:15:27  MR. O'CONNOR: And, Counsel, as 19:15:29 we discussed, I'm going to object to 19:15:30 the use of this document. It appears 19:15:33 to be protected by the attorney-client 19:15:34 privilege and was inadvertently 19:15:37 produced, and we'll be making a 19:15:37 clawback request to retrieve the 19:15:39 document. 19:15:40  MS. HERZFELD: Okay. And we'll 19:15:41 discuss it at a later time. 19:15:43 I just have one question for 19:15:44 you, ma'am. 19:15:46 QUESTIONS BY MS. HERZFELD: 19:15:46 Q. Do you know if Tennessee was a 19:15:47 state that was specifically being monitored 19:15:47	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. Yes. 19:18:04  A. She's one of our attorneys. 19:18:04  Q. Okay. And you know 19:18:07  Tennessee if you'll look with me to the 19:18:11 second page, you'll see a chart that talks 19:18:13 about the personnel of hydrocodone sales in 19:18:24  Tennessee from 10/2007 till 2/1/2011. 19:18:25  Do you see where I'm at? 19:18:31  A. Yes. 19:18:32  Q. Okay. Do you know why the 19:18:33 percentage of hydrocodone sales were being 19:18:34 monitored in Tennessee? 19:18:36  A. So I'd like to note, please, 19:18:37 from where this graph came. Was it part of 19:18:42 this packet? 19:18:45  Q. I believe so, yes, ma'am. I 19:18:47
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4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	the record at 7:15 p.m. 19:15:27  MR. O'CONNOR: And, Counsel, as 19:15:29  we discussed, I'm going to object to 19:15:30  the use of this document. It appears 19:15:33  to be protected by the attorney-client 19:15:34  privilege and was inadvertently 19:15:37  produced, and we'll be making a 19:15:37  clawback request to retrieve the 19:15:39  document. 19:15:40  MS. HERZFELD: Okay. And we'll 19:15:41  discuss it at a later time. 19:15:43  I just have one question for 19:15:44  you, ma'am. 19:15:46  QUESTIONS BY MS. HERZFELD: 19:15:47  state that was specifically being monitored 19:15:51  for high volume oxycodone sales? 19:15:54	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Yes. 19:18:04  A. She's one of our attorneys. 19:18:04  Q. Okay. And you know 19:18:07  Tennessee if you'll look with me to the 19:18:11 second page, you'll see a chart that talks 19:18:13 about the personnel of hydrocodone sales in 19:18:24  Tennessee from 10/2007 till 2/1/2011. 19:18:25  Do you see where I'm at? 19:18:31  A. Yes. 19:18:32  Q. Okay. Do you know why the 19:18:33 percentage of hydrocodone sales were being 19:18:34 monitored in Tennessee? 19:18:36  A. So I'd like to note, please, 19:18:37 from where this graph came. Was it part of 19:18:42 this packet? 19:18:45  Q. I believe so, yes, ma'am. I 19:18:47 didn't create it. 19:18:49  A. Okay. All right. 19:18:50
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	the record at 7:15 p.m. 19:15:27  MR. O'CONNOR: And, Counsel, as 19:15:29  we discussed, I'm going to object to 19:15:30  the use of this document. It appears 19:15:33  to be protected by the attorney-client 19:15:34  privilege and was inadvertently 19:15:37  produced, and we'll be making a 19:15:37  clawback request to retrieve the 19:15:39  document. 19:15:40  MS. HERZFELD: Okay. And we'll 19:15:41  discuss it at a later time. 19:15:43  I just have one question for 19:15:44  you, ma'am. 19:15:46  QUESTIONS BY MS. HERZFELD: 19:15:47  state that was specifically being monitored 19:15:51  for high volume oxycodone sales? 19:15:54  A. Yes. 19:15:57	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Yes. 19:18:04  A. She's one of our attorneys. 19:18:04  Q. Okay. And you know 19:18:07  Tennessee if you'll look with me to the 19:18:11 second page, you'll see a chart that talks 19:18:13 about the personnel of hydrocodone sales in 19:18:24  Tennessee from 10/2007 till 2/1/2011. 19:18:25  Do you see where I'm at? 19:18:31  A. Yes. 19:18:32  Q. Okay. Do you know why the 19:18:33 percentage of hydrocodone sales were being 19:18:34 monitored in Tennessee? 19:18:36  A. So I'd like to note, please, 19:18:37 from where this graph came. Was it part of 19:18:42 this packet? 19:18:45  Q. I believe so, yes, ma'am. I 19:18:47 didn't create it. 19:18:49  A. Okay. All right. 19:18:50 So will you please repeat the 19:18:52
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	the record at 7:15 p.m. 19:15:27  MR. O'CONNOR: And, Counsel, as 19:15:29  we discussed, I'm going to object to 19:15:30  the use of this document. It appears 19:15:33  to be protected by the attorney-client 19:15:34  privilege and was inadvertently 19:15:37  produced, and we'll be making a 19:15:37  clawback request to retrieve the 19:15:39  document. 19:15:40  MS. HERZFELD: Okay. And we'll 19:15:41  discuss it at a later time. 19:15:43  I just have one question for 19:15:44  you, ma'am. 19:15:46  QUESTIONS BY MS. HERZFELD: 19:15:47  state that was specifically being monitored 19:15:51  for high volume oxycodone sales? 19:15:57  Q. Okay. Thank you very much. 19:15:57	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	A. Yes. 19:18:04  A. She's one of our attorneys. 19:18:04  Q. Okay. And you know 19:18:07  Tennessee if you'll look with me to the 19:18:11 second page, you'll see a chart that talks 19:18:13 about the personnel of hydrocodone sales in 19:18:24  Tennessee from 10/2007 till 2/1/2011. 19:18:25  Do you see where I'm at? 19:18:31  A. Yes. 19:18:32  Q. Okay. Do you know why the 19:18:33 percentage of hydrocodone sales were being 19:18:34 monitored in Tennessee? 19:18:36  A. So I'd like to note, please, 19:18:37 from where this graph came. Was it part of 19:18:42 this packet? 19:18:45  Q. I believe so, yes, ma'am. I 19:18:47 didn't create it. 19:18:49  A. Okay. All right. 19:18:50 So will you please repeat the 19:18:52 question? Sorry. 19:18:54
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	the record at 7:15 p.m. 19:15:27  MR. O'CONNOR: And, Counsel, as 19:15:29  we discussed, I'm going to object to 19:15:30  the use of this document. It appears 19:15:33  to be protected by the attorney-client 19:15:34  privilege and was inadvertently 19:15:37  produced, and we'll be making a 19:15:37  clawback request to retrieve the 19:15:39  document. 19:15:40  MS. HERZFELD: Okay. And we'll 19:15:41  discuss it at a later time. 19:15:43  I just have one question for 19:15:44  you, ma'am. 19:15:46  QUESTIONS BY MS. HERZFELD: 19:15:47  state that was specifically being monitored 19:15:51  for high volume oxycodone sales? 19:15:54  A. Yes. 19:15:57	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Yes. 19:18:04  Q. Who's Pat? 19:18:04  A. She's one of our attorneys. 19:18:04  Q. Okay. And you know 19:18:07  Tennessee if you'll look with me to the 19:18:11 second page, you'll see a chart that talks 19:18:13 about the personnel of hydrocodone sales in 19:18:24  Tennessee from 10/2007 till 2/1/2011. 19:18:25  Do you see where I'm at? 19:18:31  A. Yes. 19:18:32  Q. Okay. Do you know why the 19:18:33 percentage of hydrocodone sales were being 19:18:34 monitored in Tennessee? 19:18:37 from where this graph came. Was it part of 19:18:42 this packet? 19:18:45  Q. I believe so, yes, ma'am. I 19:18:47 didn't create it. 19:18:49  A. Okay. All right. 19:18:50 So will you please repeat the 19:18:52

1		5 1		4
2 of hydrocodone sales were being monitored in 19-18-57   2		Page 506		Page 508
3   Tennessee by Mallinckrodt?   19:19:59   4	1	Do you know why the percentage 19:18:56	1	through March of 2011; is that right? 19:20:29
4	2	of hydrocodone sales were being monitored in 19:18:57	2	A. Yes. 19:20:31
5	3	•	3	
6	4		4	state is? 19:20:41
7	5		5	C
8			6	
9		- · · · · ·		
10		•		•
11		•		•
12   look.   19:19:13				
13				•
14    on, if you'll flip with me to the next page,   19:19:16   15   it says page I at the bottom?   19:19:20   15   it says page I at the bottom?   19:19:20   16   A. Yes.   19:19:20   17   Onder the state of?   19:19:25   18   sales here, it looks like we're looking at   19:19:25   19   the state of?   19:19:25   19   Q. Okay. And two pages later, the   19:19:27   22   one that says page 3, it looks like we're   19:19:32   23   looking at the state of?   19:19:35   24   A. Oh, I'm sorry. Texas.   19:19:36   25   Q. Okay.   19:21:16   27   Q. Okay. And flip two more pages   19:19:40   3 with me to page 5.   19:19:45   5 of?   19:19:57   12 distributor; is that right?   19:19:57   12 distributor; is that right?   19:19:57   13   A. Yes.   19:19:58   14   Q. Okay. Keep flipping.   19:19:58   14   Q. Okay. Keep flipping.   19:19:59   Page 9, and the state that erise is   19:20:05   18   A. Yes, the chart states that was of   19:21:08   19:2				
15 it says page 1 at the bottom? 19:19:18 16 A. Yes. 19:19:20 17 Q. Okay. So looking at hydro 19:19:20 18 sales here, it looks like we're looking at 19:19:22 19 the state of? 19:19:25 20 A. Florida. 19:19:26 21 Q. Okay. And two pages later, the 19:19:27 22 one that says page 3, it looks like we're 19:19:32 23 looking at the state of? 19:19:35 24 A. Oh, I'm sorry. Texas. 19:19:36 25 Q. Okay. 19:19:36 26 A. Yes. 19:19:39 27 Q. Okay. And flip two more pages 19:19:40 28 Q. Okay. And that is the state 19:19:44 30 Way. And that is the state 19:19:44 40 Okay. And that is the state 19:19:44 50 of? 19:19:45 50 Q. Okay. And that is the state 19:19:46 61 A. Ohio. 19:19:46 62 A. Ohio. 19:19:52 63 A. Kentucky. 19:19:52 64 A. Ohio. 19:19:52 65 A. Ohio. 19:19:52 66 A. Ohio. 19:19:49 67 Q. Okay. Keep flipping. 19:19:49 68 Page 7. That's the state of? 19:19:49 69 A. Kentucky. 19:19:52 101 Q. Okay. And this is −looks 19:19:54 112 like the percentage of hydro sales by 19:19:55 113 A. Yes. 19:19:58 114 Q. Okay. Keep flipping. 19:19:59 115 Page 9, and the state there is? 19:20:01 116 A. No. And unfortunately I 19:21:10 117 don't − I don't understand − I don't understand this 19:21:08 119 don't − I don't understand − I don't understand this 19:21:08 119 Q. Okay. And time treated of? 19:19:35 110 Q. Okay. And flip two more pages 19:19:36 111 A. Yes. 19:19:39 111 don't − I don't understand − I don't understand this 19:21:13 112 this page is telling − 19:21:15 113 A. Yes. 19:19:39 114 A. − me. 19:21:17 115 A. − me. 19:21:17 119:21:08 119 A. − and I don't understand this 19:21:13 119:21:08 119 A. − me. 19:21:13 119:21:08 119:21:08 119:21:08 119:21:08 119:21:09 119:21:09 119:21:10 119:21:09 119:21:09 119:21:09 119:21:09 119:22:00 11 A. − me. 19:21:17 12 Q. Okay. Okay. So flipping 19:21:21 13 A. No, I don't ondubt it. 19:21:21 14 A. No, I don't onderstand this 19:21:17 15 Q. Okay. Okay. So flipping 19:21:21 15 Q. Okay. Okay. So flipping 19:21:21 16 A. What page? Keep going? 19:21:33 17 A. Okay. Creatinly. 19:21:33 18 A. Okay. Creatinly.		•		
16		• • •		•
17		* * *		
18   sales here, it looks like we're looking at   19:19:22   18   this report   19:21:08     19   the state of?   19:19:25   19   Q. Okay.   19:21:08     20   A. Florida.   19:19:26   20   A and I don't understand this   19:21:13     21   Q. Okay. And two pages later, the   19:19:32   21   unit of measure, this percentage.   19:21:13     22   one that says page 3, it looks like we're   19:19:35   23   A. I just don't understand what   19:21:15     23   looking at the state of?   19:19:36   24   this page is telling   19:21:16     25   Q. Okay.   19:19:36   25   Q. Okay.   19:21:16     26   Q. Okay. And flip two more pages   19:19:40   2   Q. But you don't doubt that you   19:21:17     2   Q. Okay. And that is the state   19:19:44   4   A. No, I don't doubt it.   19:21:21     3   with me to page 5.   19:19:45   5   Q. Okay. Okay. So flipping   19:21:2     4   Okay. And that is the state   19:19:46   5   Q. Okay. Keep flipping.   19:19:46   6   through to the next one, kind of leaving   19:21:33     6   A. Ohio.   19:19:46   6   through to the next one, kind of leaving   19:21:33     7   Q. Okay. And this is looks   19:19:54   10   A. What page? Keep going?   19:21:33     10   Q. Okay. And this is looks   19:19:55   11   Q. Uh-huh. I can help you out if   19:21:37     11   like the percentage of hydro sales by   19:19:55   12   Q. Yeah. Yeah. Make it a little   19:21:38     12   A. Tennessee.   19:20:05   16   There we go.   19:21:45     13   A. Tennessee.   19:20:05   16   There we go.   19:21:45     14   A. Tennessee.   19:20:05   16   There we go.   19:21:45     15   A. Tennessee.   19:20:01   19:20:09   19:20:00     16   A. Tennessee.   19:20:015   10   Okay. And then so then on   19:21:45     17   Q. Tennessee. There we go.   19:20:01   19:20:00   19				•
19 the state of?				
20 A. Florida. 19:19:26 21 Q. Okay. And two pages later, the 19:19:27 22 one that says page 3, it looks like we're 19:19:32 23 looking at the state of? 19:19:36 24 A. Oh, I'm sorry. Texas. 19:19:36 25 Q. Okay. 19:19:36 26 Q. Okay. 19:21:15 27 Q. Okay. 19:19:36 28 A. Jijust don't understand what 19:21:15 29 Q. Okay. 19:21:15 20 Q. Okay. 19:19:36 20 Q. Okay. 19:21:15 21 A. Yes. 19:19:39 21 A. Yes. 19:19:40 22 Q. Okay. And flip two more pages 19:19:40 23 with me to page 5. 19:19:42 24 Q. Okay. And that is the state 19:19:44 25 ORay. And that is the state 19:19:44 26 Q. Okay. And that is the state 19:19:44 27 Q. Okay. Keep flipping. 19:19:45 28 Page 7. That's the state of? 19:19:49 39 A. Kentucky. 19:19:52 30 Q. Okay. And this is looks 19:19:54 31 Iike the percentage of hydro sales by 19:19:55 32 Q. Okay. And the state there is? 19:20:01 33 A. Yes. 19:19:58 34 A. Yes. 19:19:58 35 Q. Okay. Okay. Seep flipping. 19:19:55 36 Q. Okay. Okay. Seep flipping. 19:19:55 37 A. Yes. 19:19:59 38 A. Yes. 19:19:59 49 A. Kentucky. 19:19:55 40 Q. Okay. And this is looks 19:19:55 41 Q. Okay. And then so then on 19:21:37 42 Q. Yeah. Yeah. Make it a little 19:21:37 43 A. Yes. 19:19:59 44 Q. Yeah. Yeah. Make it a little 19:21:37 45 Q. Okay. And then so then on 19:21:45 46 Q. Yeah. Yeah. Make it a little 19:21:37 47 Q. Okay. And then so then on 19:21:45 48 Page 9, and the state there is? 19:20:05 49 Correct? 19:20:15 40 Q. Okay. And then so then on 19:21:45 40 Q. Okay. And then is the percentage of 19:20:08 40 A. Tennessee. 19:20:15 41 Q. Okay. And then is the percentage of 19:20:08 41 A. Yes, the chart states that. 19:20:09 42 A. Yes, the chart states that. 19:20:15 43 A. Yes. 19:21:53 44 A. Yes. 19:21:53 45 A and I don't understand what 19:21:13 46 A me. 19:21:15 47 A me. 19:21:15 48 A me. 19:21:15 49 A me. 19:21:16 49 A me. 19:21:17 40 A me. 19:21:16 41 A me. 19:21:17 41 A me. 19:21:17 42 A. No, I don't doubt it. 19:21:17 43 A. No, I don't doubt it. 19:21:17 44 A. No, I don't doubt		_		•
Q. Okay. And two pages later, the   19:19:27   21   unit of measure, this percentage.   19:21:13				•
22   One that says page 3, it looks like we're   19:19:32   19:19:35   24   A. Oh, I'm sorry. Texas.   19:19:36   24   this page is telling   19:21:15   25   Q. Okay.   19:19:36   25   Q. Okay.   19:21:16   25   Q. Okay.   19:21:16   25   Q. Okay.   19:21:16   26   Q. Okay.   19:21:16   27   Q. Okay. And flip two more pages   19:19:40   3   with me to page 5.   19:19:42   4   Okay. And that is the state   19:19:45   5   Off   19:19:46   6   A. Ohio.   19:19:46   7   Q. Okay. Keep flipping.   19:19:46   8   Page 7. That's the state of?   19:19:54   11   like the percentage of hydro sales by   19:19:57   12   distributor; is that right?   19:19:58   13   A. Yes.   19:19:58   14   Q. Okay. Keep flipping.   19:19:59   15   Page 9, and the state there is?   19:20:05   16   A. Tennessee.   19:20:05   16   A. Tennessee. There we go.   19:20:06   19   20:08   A. Yes.   19:20:15   20   Okay. And then so then on   19:21:45   20   Okay. And then chart; is that   19:20:09   20   Oxycodone sales for Tennessee.   19:21:53   20   Okay. And the chart appears to   19:20:20   22   Oxycodone sales for Tennessee.   19:21:53   22   Okay. And the chart appears to   19:20:20   22   A. Yes.   19:21:53   22   Okay. And the chart appears to   19:20:20   22   A. Yes.   19:21:53   23   Okay. And then chart appears to   19:20:20   22   A. Y				
23 looking at the state of? 19:19:35				
24 A. Oh, I'm sorry. Texas. 19:19:36 25 Q. Okay. 19:19:36  Page 507  1 A. Yes. 19:19:39 2 Q. Okay. And flip two more pages 19:19:40 3 with me to page 5. 19:19:42 4 Okay. And that is the state 19:19:44 5 of? 19:19:45 6 A. Ohio. 19:19:46 7 Q. Okay. Keep flipping. 19:19:46 8 Page 7. That's the state of? 19:19:49 9 A. Kentucky. 19:19:52 11 like the percentage of hydro sales by 19:19:55 12 distributor; is that right? 19:19:57 13 A. Yes. 19:19:58 14 Q. Okay. Keep flipping. 19:19:59 15 Page 9, and the state there is? 19:20:01 16 A. Tennessee. 19:20:05 17 Q. Tennessee. There we go. 19:20:06 18 A. Yes, the chart states that. 19:20:15 20 Q. Okay. And that is the percentage of 19:20:09 21 A. Yes, the chart states that. 19:20:15 22 Q. Okay. Ohay. Institutor on that chart; is that 19:20:15 24 this page is telling 25 Q. Okay.  19:21:16  Page 507  1 A me. 19:21:17  2 Q. But you don't doubt that you 19:21:21  3 sent the e-mail with the attachments? 19:21:21  4 A. No, I don't doubt it. 19:21:21  5 Q. Okay. Okay. So flipping 19:21:21  5 Q. Okay. Okay. So flipping 19:21:21  5 Q. Okay. Okay. So flipping 19:21:21  6 through to the next one, kind of leaving 19:21  7 where we stopping where we left off and 19 8 going back to where we were, if you'll just 19: 9 keep going. 19:21:33  10 Q. Uh-huh. I can help you out if 19:21:37  11 A me. 19:21:17  2 Q. But you don't doubt that you 19:21:1  5 Q. Okay. Okay. So flipping 19:21:21  5 Q. Okay. Okay. So flipping 19:21:21  1 A. No, I don't doubt it. 19:21:21  5 Q. Okay. Okay. So flipping 19:21:21  5 Q. Okay. Okay. So flipping 19:21:21  5 Q. Okay. What page? Keep going? 19:21:33  10 Q. Uh-huh. I can help you out if 19:21:33  11 Q. Uh-huh. I can help you out if 19:21:37  12 you want. 19:21:38  13 A. Okay, certainly. 19:21:38  14 Q. Yeah. Yeah. Make it a little 19:21:3  15 Coverect? 19:20:05  16 There we go. 19:21:45  17 Okay. And then so then on 19:21:45  18 this chart, it looks like the second 19:21:45  19 attachment there is the percentage of 19:21:50  20 oxycodone sales for				•
25 Q. Okay. 19:19:36  Page 507  A. Yes. 19:19:39  Q. Okay. And flip two more pages 19:19:40  with me to page 5. 19:19:42  Gokay. And that is the state 19:19:44  A. No, I don't doubt it. 19:21:17  Q. Okay. Keep flipping. 19:19:46  A. Ohio. 19:19:46  Page 7. That's the state of? 19:19:49  A. Kentucky. 19:19:52  Q. Okay. And this is looks 19:19:54  Ilike the percentage of hydro sales by 19:19:55  A. Yes. 19:19:57  A. Yes. 19:19:59  A. Tennessee. 19:20:05  A. Tennessee. There we go. 19:20:06  A. Yes, the chart states that. 19:20:15  A. Yes, the chart states that. 19:20:15  Q. Okay. And the chart appears to 19:20:20  A. Yes, the chart states that. 19:20:20  Page 507  A me. 19:21:17  A. No, I don't doubt it. 19:21:13  sent the e-mail with the attachments? 19:21:  through to the next one, kind of leaving 19:21:  through to the next one, kind of leaving 19:21:  where we stopping where we left off and 19  going back to where we were, if you'll just 19:  you want. 19:21:33  A. What page? Keep going? 19:21:33  A. Okay, certainly. 19:21:37  A. Okay, certainly. 19:21:37  A. Okay. And then so then on 19:21:45  There we go. 19:21:45  Okay. And then so then on 19:21:45  And that is the percentage of 19:20:08  And that is the percentage of 19:20:09  oxycodone sales for Tennessee. 19:21:  Do you see that? 19:21:53		-		•
Page 507  A. Yes. 19:19:39  Q. Okay. And flip two more pages 19:19:40  With me to page 5. 19:19:45  A. Ohio. 19:19:46  A. Ohio. 19:19:46  A. Ohio. 19:19:46  Page 7. That's the state of? 19:19:49  A. Kentucky. 19:19:52  Q. Okay. And this is looks 19:19:54  Ilike the percentage of hydro sales by 19:19:55  A. Yes. 19:19:58  A. Yes. 19:19:58  A. Tennessee. 19:20:05  A. Tennessee. There we go. 19:20:06  A. Yes, the chart states that. 19:20:15  A. Yes, the chart states that. 19:20:15  A. Yes, the chart states that. 19:20:15  Q. Okay. And the chart appears to 19:20:20  A. Yes, 19:21:53  Page 9. And the chart appears to 19:20:20  A. Yes, 19:21:53  Page 9. And the chart appears to 19:20:20  A. Yes, 19:21:53  Page 9. And the chart appears to 19:20:20  A. Yes, 19:21:53				
1       A. Yes.       19:19:39       1       A me.       19:21:17         2       Q. Okay. And flip two more pages       19:19:42       3 sent the e-mail with the attachments?       19:21:21         3       with me to page 5.       19:19:42       4       A. No, I don't doubt it.       19:21:21         5       of?       19:19:45       5       Q. Okay. Okay. So flipping       19:21:21         6       A. Ohio.       19:19:46       6       through to the next one, kind of leaving       19:21:21         7       Q. Okay. Keep flipping.       19:19:46       7 where we stopping where we left off and       19:21:33         10       Q. Okay. And this is looks       19:19:52       9 keep going.       19:21:33         11       like the percentage of hydro sales by       19:19:55       10       A. What page? Keep going?       19:21:33         12       distributor; is that right?       19:19:57       12       you want.       19:21:37         13       A. Yes.       19:19:58       14       Q. Okay. Keep flipping.       19:19:59       14       Q. Yeah. Yeah. Make it a little       19:21:38         14       Q. Okay. Keep flipping.       19:20:05       15       easier for you. Keep you from paper cuts.       19:21:45 <t< th=""><th></th><th></th><th></th><th>•</th></t<>				•
2         Q. Okay. And flip two more pages         19:19:40           3         with me to page 5.         19:19:42         3 sent the e-mail with the attachments?         19:21:21           4         Okay. And that is the state         19:19:44         4 A. No, I don't doubt it.         19:21:21           5         of?         19:19:46         5 Q. Okay. Okay. So flipping         19:21:21           6         A. Ohio.         19:19:46         6 through to the next one, kind of leaving         19:21:21           8         Page 7. That's the state of?         19:19:49         8 going back to where we were, if you'll just         19:21:33           10         Q. Okay. And this is looks         19:19:52         9 keep going.         19:21:33           10         Q. Okay. And this is looks         19:19:55         10 A. What page? Keep going?         19:21:33           12         distributor; is that right?         19:19:57         12 you want.         19:21:37           13         A. Yes.         19:19:58         13 A. Okay, certainly.         19:21:38           14         Q. Okay. Keep flipping.         19:19:59         14 Q. Yeah. Yeah. Make it a little         19:21:38           15         Page 9, and the state there is?         19:20:05         16 There we go.         19:21:45		_		Page 509
3 with me to page 5. 19:19:42 4 Okay. And that is the state 19:19:44 5 of? 19:19:45 6 A. Ohio. 19:19:46 7 Q. Okay. Keep flipping. 19:19:46 8 Page 7. That's the state of? 19:19:49 9 A. Kentucky. 19:19:52 10 Q. Okay. And this is looks 19:19:54 11 like the percentage of hydro sales by 19:19:55 12 distributor; is that right? 19:19:57 13 A. Yes. 19:19:58 14 Q. Okay. Keep flipping. 19:19:59 15 Page 9, and the state there is? 19:20:01 16 A. Tennessee. 19:20:05 17 Q. Tennessee. There we go. 19:20:06 18 And that is the percentage of 19:20:08 19 Sales by distributor on that chart; is that 19:20:15 20 Okay. And the chart appears to 19:20:20 21 A. Yes, the chart states that. 19:20:20 22 Q. Okay. And the chart appears to 19:20:20 23 Sent the e-mail with the attachments? 19:21:21 4 A. No, I don't doubt it. 19:21:21 5 Q. Okay. Okay. So flipping 19:21:21 5 Q. Okay. Okay. So flipping 19:21:21 5 Q. Okay. Okay. So flipping 19:21:21 2 A. Yes, the chart states that. 19:20:04 4 A. No, I don't doubt it. 19:21:21 2 A. No, I don't doubt it. 19:				
A. Okay. And that is the state   19:19:44				•
5 of?         19:19:45         5         Q. Okay. Okay. So flipping         19:21:2           6 A. Ohio.         19:19:46         6 through to the next one, kind of leaving         19:2           7 Q. Okay. Keep flipping.         19:19:46         7 where we stopping where we left off and         19:2           8 Page 7. That's the state of?         19:19:52         9 keep going.         19:21:33           10 Q. Okay. And this is looks         19:19:54         10 A. What page? Keep going?         19:21:31           11 like the percentage of hydro sales by         19:19:55         11 Q. Uh-huh. I can help you out if         19:21:37           12 distributor; is that right?         19:19:57         12 you want.         19:21:37           13 A. Yes.         19:19:58         13 A. Okay, certainly.         19:21:38           14 Q. Okay. Keep flipping.         19:19:59         14 Q. Yeah. Yeah. Make it a little         19:21:38           15 Page 9, and the state there is?         19:20:01         15 easier for you. Keep you from paper cuts.         19:21:45           17 Q. Tennessee. There we go.         19:20:06         17 Okay. And then so then on         19:21:45           19 sales by distributor on that chart; is that         19:20:09         19 attachment there is the percentage of         19:21:53           21 A. Yes, the chart states that.				
6 A. Ohio. 19:19:46 7 Q. Okay. Keep flipping. 19:19:46 8 Page 7. That's the state of? 19:19:49 9 A. Kentucky. 19:19:52 10 Q. Okay. And this is looks 19:19:54 11 like the percentage of hydro sales by 19:19:57 12 distributor; is that right? 19:19:58 13 A. Yes. 19:19:58 14 Q. Okay. Keep flipping. 19:19:59 15 Page 9, and the state there is? 19:20:01 16 A. Tennessee. 19:20:05 17 Q. Tennessee. There we go. 19:20:06 18 And that is the percentage of 19:20:08 19 sales by distributor on that chart; is that 19:20:15 21 A. Yes, the chart states that. 19:20:15 22 Q. Okay. And the chart appears to 19:20:20 20 Coverct? 19:20:15 21 Do you see that? 19:21:53 22 Q. Okay. And the chart appears to 19:20:20 20 Coverct? 19:20:15 21 Do you see that? 19:21:53		•		,
7       Q. Okay. Keep flipping.       19:19:46       7       where we stopping where we left off and 19:20:133         9       A. Kentucky.       19:19:52       9       keep going.       19:21:33         10       Q. Okay. And this is looks 19:19:54       10       A. What page? Keep going? 19:21:33         11       like the percentage of hydro sales by distributor; is that right?       19:19:55       11       Q. Uh-huh. I can help you out if 19:21:37         12       distributor; is that right?       19:19:58       13       A. Okay, certainly.       19:21:38         14       Q. Okay. Keep flipping.       19:19:59       14       Q. Yeah. Yeah. Make it a little 19:21:3         15       Page 9, and the state there is? 19:20:05       15       easier for you. Keep you from paper cuts. 19:         16       A. Tennessee.       19:20:05       16       There we go. 19:21:45         17       Q. Tennessee. There we go. 19:20:06       17       Okay. And then so then on 19:21:45         18       And that is the percentage of 19:20:08       18       this chart, it looks like the second 19:21:47         19       sales by distributor on that chart; is that 19:20:15       20       oxycodone sales for Tennessee. 19:21:53         21       A. Yes, the chart states that. 19:20:15       21       Do you see that? 19:21:53				
8 Page 7. That's the state of? 19:19:49 9 A. Kentucky. 19:19:52 10 Q. Okay. And this is looks 19:19:54 11 like the percentage of hydro sales by 19:19:55 12 distributor; is that right? 19:19:57 13 A. Yes. 19:19:58 14 Q. Okay. Keep flipping. 19:19:59 15 Page 9, and the state there is? 19:20:01 16 A. Tennessee. 19:20:05 17 Q. Tennessee. There we go. 19:20:06 18 And that is the percentage of 19:20:08 19 sales by distributor on that chart; is that 19:20:09 20 correct? 19:20:15 21 A. Yes, the chart states that. 19:20:20 20 Okay. And the chart appears to 19:20:20 20 Correct? 19:20:15 21 A. Yes, the chart states that. 19:20:20 20 Correct? 19:20:15 21 Do you see that? 19:21:53 22 Q. Okay. And the chart appears to 19:20:20 23 A. Yes. 19:21:53				
9 A. Kentucky. 19:19:52 9 keep going. 19:21:33  10 Q. Okay. And this is looks 19:19:54 10 A. What page? Keep going? 19:21:  11 like the percentage of hydro sales by 19:19:55 11 Q. Uh-huh. I can help you out if 19:21:37  12 distributor; is that right? 19:19:57 12 you want. 19:21:37  13 A. Yes. 19:19:58 13 A. Okay, certainly. 19:21:38  14 Q. Okay. Keep flipping. 19:19:59 14 Q. Yeah. Make it a little 19:21:38  15 Page 9, and the state there is? 19:20:01 15 easier for you. Keep you from paper cuts. 19:  16 A. Tennessee. 19:20:05 16 There we go. 19:21:45  17 Q. Tennessee. There we go. 19:20:06 17 Okay. And then so then on 19:21:47  18 And that is the percentage of 19:20:08 18 this chart, it looks like the second 19:21:47  19 sales by distributor on that chart; is that 19:20:09 19 attachment there is the percentage of 19:21  20 correct? 19:20:15 20 oxycodone sales for Tennessee. 19:21:53  21 A. Yes, the chart states that. 19:20:20 22 A. Yes. 19:21:53				
10       Q. Okay. And this is looks       19:19:54       10       A. What page? Keep going?       19:21:         11       like the percentage of hydro sales by       19:19:55       11       Q. Uh-huh. I can help you out if       19:21:37         12       distributor; is that right?       19:19:57       12       you want.       19:21:38         13       A. Yes.       19:19:58       13       A. Okay, certainly.       19:21:38         14       Q. Okay. Keep flipping.       19:19:59       14       Q. Yeah. Yeah. Make it a little       19:21:3         15       Page 9, and the state there is?       19:20:01       15       easier for you. Keep you from paper cuts.       19:         16       A. Tennessee.       19:20:05       16       There we go.       19:21:45         17       Okay. And then so then on       19:21:45         18       And that is the percentage of       19:20:08       18       this chart, it looks like the second       19:21:4         19       sales by distributor on that chart; is that       19:20:09       19       attachment there is the percentage of       19:21         20       correct?       19:20:15       20       oxycodone sales for Tennessee.       19:21:53         21       A. Yes, the chart states that.				
11 like the percentage of hydro sales by 19:19:55 12 distributor; is that right? 19:19:57 13 A. Yes. 19:19:58 14 Q. Okay. Keep flipping. 19:19:59 15 Page 9, and the state there is? 19:20:01 16 A. Tennessee. 19:20:05 17 Q. Tennessee. There we go. 19:20:06 18 And that is the percentage of 19:20:08 19 sales by distributor on that chart; is that 19:20:09 20 correct? 19:20:15 21 A. Yes, the chart states that. 19:20:15 22 Q. Okay. And the chart appears to 19:20:20 20 Correct? 19:20:15 21 Do you see that? 19:21:53 22 Q. Okay. And the chart appears to 19:20:20 20 Like the percentage of 19:20:20 20 Like the percentage of 19:20:20 21 Do you see that? 19:21:53 22 A. Yes. 19:21:53		•		
12 distributor; is that right?       19:19:57       12 you want.       19:21:37         13 A. Yes.       19:19:58       13 A. Okay, certainly.       19:21:38         14 Q. Okay. Keep flipping.       19:19:59       14 Q. Yeah. Yeah. Make it a little       19:21:3         15 Page 9, and the state there is?       19:20:01       15 easier for you. Keep you from paper cuts.       19:         16 A. Tennessee.       19:20:05       16 There we go.       19:21:45         17 Q. Tennessee. There we go.       19:20:06       17 Okay. And then so then on 19:21:4         18 And that is the percentage of 19:20:08       18 this chart, it looks like the second 19:21:4         19 sales by distributor on that chart; is that 19:20:09       19 attachment there is the percentage of 19:21         20 correct?       19:20:15       20 oxycodone sales for Tennessee.       19:21:53         21 A. Yes, the chart states that. 19:20:20       22 A. Yes. 19:21:53		•		
13 A. Yes. 19:19:58  14 Q. Okay. Keep flipping. 19:19:59  15 Page 9, and the state there is? 19:20:01  16 A. Tennessee. 19:20:05  17 Q. Tennessee. There we go. 19:20:06  18 And that is the percentage of 19:20:08  19 sales by distributor on that chart; is that 19:20:09  20 correct? 19:20:15  21 A. Yes, the chart states that. 19:20:15  22 Q. Okay. And the chart appears to 19:20:20  23 A. Okay, certainly. 19:21:38  24 Q. Yeah. Yeah. Make it a little 19:21:3  25 easier for you. Keep you from paper cuts. 19:  26 There we go. 19:21:45  27 Okay. And then so then on 19:21:45  28 this chart, it looks like the second 19:21:47  29 attachment there is the percentage of 19:21  20 oxycodone sales for Tennessee. 19:21:53  20 A. Yes. 19:21:53				_ ·
Q. Okay. Keep flipping. 19:19:59  Page 9, and the state there is? 19:20:01  A. Tennessee. 19:20:05  Q. Tennessee. There we go. 19:20:06  And that is the percentage of 19:20:08  sales by distributor on that chart; is that 19:20:09  correct? 19:20:15  A. Yes, the chart states that. 19:20:15  Q. Okay. And the chart appears to 19:20:20  A. Yes, the chart appears to 19:20:20  14  Q. Yeah. Yeah. Make it a little 19:21:3  15  easier for you. Keep you from paper cuts. 19:  16  There we go. 19:21:45  17  Okay. And then so then on 19:21:47  18  this chart, it looks like the second 19:21:47  20  oxycodone sales for Tennessee. 19:21:  Do you see that? 19:21:53  22  A. Yes, 19:21:53		_		<u> </u>
Page 9, and the state there is? 19:20:01  A. Tennessee. 19:20:05  Q. Tennessee. There we go. 19:20:06  And that is the percentage of 19:20:08  Sales by distributor on that chart; is that 19:20:09  correct? 19:20:15  A. Yes, the chart states that. 19:20:15  Q. Okay. And the second 19:21:45  Do you see that? 19:21:53				· · · · · · · · · · · · · · · · · · ·
16       A. Tennessee.       19:20:05       16       There we go.       19:21:45         17       Q. Tennessee. There we go.       19:20:06       17       Okay. And then so then on 19:21:4         18       And that is the percentage of 19:20:08       18       this chart, it looks like the second 19:21:4         19       sales by distributor on that chart; is that 19:20:09       19       attachment there is the percentage of 19:21         20       correct?       19:20:15       20       oxycodone sales for Tennessee.       19:21:53         21       A. Yes, the chart states that. 19:20:20       22       A. Yes. 19:21:53				
17 Q. Tennessee. There we go. 19:20:06 18 And that is the percentage of 19:20:08 19 sales by distributor on that chart; is that 19:20:09 20 correct? 19:20:15 21 A. Yes, the chart states that. 19:20:15 22 Q. Okay. And the chart appears to 19:20:20  17 Okay. And then so then on 19:21:4 18 this chart, it looks like the second 19:21:4 20 oxycodone sales for Tennessee. 19:21:53 22 A. Yes. 19:21:53		_		
And that is the percentage of 19:20:08  19 sales by distributor on that chart; is that 19:20:09  20 correct? 19:20:15  21 A. Yes, the chart states that. 19:20:15  22 Q. Okay. And the chart appears to 19:20:20  18 this chart, it looks like the second 19:21:4'  19 attachment there is the percentage of 19:21:  20 oxycodone sales for Tennessee. 19:21:53  21 Do you see that? 19:21:53				
19 sales by distributor on that chart; is that 19:20:09 20 correct? 19:20:15 21 A. Yes, the chart states that. 19:20:15 22 Q. Okay. And the chart appears to 19:20:20 23 attachment there is the percentage of 19:21 24 Do you see that? 19:21:53 25 A. Yes. 19:21:53		-		•
20 correct?       19:20:15       20 oxycodone sales for Tennessee.       19:21:         21 A. Yes, the chart states that.       19:20:15       21 Do you see that?       19:21:53         22 Q. Okay. And the chart appears to 19:20:20       22 A. Yes.       19:21:53				
21 A. Yes, the chart states that. 19:20:15 21 Do you see that? 19:21:53 22 Q. Okay. And the chart appears to 19:20:20 22 A. Yes. 19:21:53				• •
22 Q. Okay. And the chart appears to 19:20:20 22 A. Yes. 19:21:53	21		21	•
	22			•
,	23	monitor this information from October 2007 19:20:21	23	Q. And that's broken down by 19:21:54
	24			distributor from 10/1/2007 till 10/1/2011; is 19:21:56
25 through to the second page, all the way 19:20:27 25 that right? 19:22:02	25		25	

	Page 510		Page 512
1	A. Yes. 19:22:02	1	Q. Do you know if they're located 19:24:13
2	Q. Okay. And I will posit to you, 19:22:02	2	in Miami? 19:24:14
3	and if we flip through, it's the same charts 19:22:06	3	A. I don't know. 19:24:15
4	breaking down the percentage of oxycodone to 19:22:09	4	Q. Okay. Flipping to the third 19:24:17
5	various states by distributor for Florida, 19:22:13	5	page that says MNK-T1_0007026595. State 19:24:19
6	Texas, Ohio, Kentucky, Tennessee and Georgia, 19:22:18	6	ranking for hydrocodone, total dosage units 19:24:26
7	those same states. 19:22:33	7	sold to retail, January 1, 2010, through 19:24:30
8	Does that look to be correct? 19:22:35	8	December 31, 2011. 19:24:34
9	MR. O'CONNOR: You can answer 19:22:39	9	Do you see where I'm at? 19:24:35
10	the question. 19:22:39	10	A. Yes. 19:24:36
11	THE WITNESS: Yes. 19:22:40	11	Q. Could you tell me what number 19:24:37
12	QUESTIONS BY MS. HERZFELD: 19:22:40	12	Tennessee is, ma'am? 19:24:38
13	Q. Okay. Yes? 19:22:41	13	A. Tennessee is the third ranking. 19:24:39
14	MR. O'CONNOR: Counsel, since 19:22:42	14	Q. Okay. Great. Thank you very 19:24:46
15	we just finished that page, I notice 19:22:43	15	much. 19:24:47
16	there appears to be an unrelated 19:22:45	16	And the next page, state 19:24:47
17	document attached to the back. 19:22:47	17	ranking for oxycodone. This one ends with 19:24:49
18	MS. HERZFELD: I do see that. 19:22:48	18	6596. Total dosage units sold to retail on 19:24:56
19	I do. That's interesting. 19:22:50	19	January 1, 2010, through December 31, 2011. 19:25:03
20	Okay. Let's pull off this 19:22:51	20	And do you see that what number 19:25:07
21	unrelated document, because I think 19:22:55	21	Tennessee is on this list, ma'am? 19:25:08
22	that's supposed to be separate. 19:22:55	22	A. It is I have a question 19:25:10
23	My apologies for having some 19:22:59	23	about the document, please. 19:25:11
24	exhibit problems today. You can tell 19:23:01	24	Q. Sure. 19:25:12
25	I'm having exhibit problems today. 19:23:04	25	A. This says Drug Enforcement 19:25:12
	Page 511		Page 513
	TT 1 41: 10.00.07		A 1
1	There we go. Just make this 19:23:07	1	Administration. 19:25:14
2	next one Exhibit 39. 19:23:08	2	Q. Yes, ma'am. 19:25:14
2	next one Exhibit 39. 19:23:08 (Mallinckrodt-Harper Exhibit 39 19:23:12	2 3	<ul><li>Q. Yes, ma'am. 19:25:14</li><li>A. So it's something DEA 19:25:14</li></ul>
2 3 4	next one Exhibit 39. 19:23:08  (Mallinckrodt-Harper Exhibit 39 19:23:12 marked for identification.) 19:23:12	2 3 4	Q. Yes, ma'am. 19:25:14 A. So it's something DEA 19:25:14 published. 19:25:16
2 3 4 5	next one Exhibit 39. 19:23:08  (Mallinckrodt-Harper Exhibit 39 19:23:12  marked for identification.) 19:23:12  MS. HERZFELD: And for those in 19:23:17	2 3 4 5	Q. Yes, ma'am.       19:25:14         A. So it's something DEA       19:25:14         published.       19:25:16         Q. Okay.       19:25:16
2 3 4 5 6	next one Exhibit 39. 19:23:08 (Mallinckrodt-Harper Exhibit 39 19:23:12 marked for identification.) 19:23:12 MS. HERZFELD: And for those in 19:23:17 the cheap seats, it's 19:23:18	2 3 4 5 6	<ul> <li>Q. Yes, ma'am. 19:25:14</li> <li>A. So it's something DEA 19:25:14</li> <li>published. 19:25:16</li> <li>Q. Okay. 19:25:16</li> <li>A. So that would include, am I 19:25:17</li> </ul>
2 3 4 5 6 7	next one Exhibit 39. 19:23:08  (Mallinckrodt-Harper Exhibit 39 19:23:12  marked for identification.) 19:23:12  MS. HERZFELD: And for those in 19:23:17 the cheap seats, it's 19:23:18  MNK-T1_0007026593. 19:23:22	2 3 4 5 6 7	Q. Yes, ma'am.       19:25:14         A. So it's something DEA       19:25:14         published.       19:25:16         Q. Okay.       19:25:16         A. So that would include, am I       19:25:17         correct, all manufacturers of all products?       19:25:19
2 3 4 5 6 7 8	next one Exhibit 39. 19:23:08 (Mallinckrodt-Harper Exhibit 39 19:23:12 marked for identification.) 19:23:12 MS. HERZFELD: And for those in 19:23:17 the cheap seats, it's 19:23:18 MNK-T1_0007026593. 19:23:22 Thank you for pointing that 19:23:27	2 3 4 5 6 7 8	Q. Yes, ma'am.       19:25:14         A. So it's something DEA       19:25:14         published.       19:25:16         Q. Okay.       19:25:16         A. So that would include, am I       19:25:17         correct, all manufacturers of all products?       19:25:19         Q. Ma'am, you're the one who       19:25:22
2 3 4 5 6 7 8	next one Exhibit 39. 19:23:08 (Mallinckrodt-Harper Exhibit 39 19:23:12 marked for identification.) 19:23:12 MS. HERZFELD: And for those in 19:23:17 the cheap seats, it's 19:23:18 MNK-T1_0007026593. 19:23:22 Thank you for pointing that 19:23:27 out, Andrew. 19:23:29	2 3 4 5 6 7 8	Q. Yes, ma'am.       19:25:14         A. So it's something DEA       19:25:16         published.       19:25:16         Q. Okay.       19:25:16         A. So that would include, am I       19:25:17         correct, all manufacturers of all products?       19:25:19         Q. Ma'am, you're the one who       19:25:22         forwarded this, so I wouldn't know.       19:25:24
2 3 4 5 6 7 8 9	next one Exhibit 39. 19:23:08  (Mallinckrodt-Harper Exhibit 39 19:23:12  marked for identification.) 19:23:12  MS. HERZFELD: And for those in 19:23:17  the cheap seats, it's 19:23:18  MNK-T1_0007026593. 19:23:22  Thank you for pointing that 19:23:27  out, Andrew. 19:23:29  MR. O'CONNOR: You're welcome. 19:23:31	2 3 4 5 6 7 8 9	Q. Yes, ma'am.       19:25:14         A. So it's something DEA       19:25:14         published.       19:25:16         Q. Okay.       19:25:16         A. So that would include, am I       19:25:17         correct, all manufacturers of all products?       19:25:19         Q. Ma'am, you're the one who       19:25:22         forwarded this, so I wouldn't know.       19:25:24         A. Oh, we did?       19:25:25
2 3 4 5 6 7 8 9 10	next one Exhibit 39. 19:23:08 (Mallinckrodt-Harper Exhibit 39 19:23:12 marked for identification.) 19:23:12 MS. HERZFELD: And for those in 19:23:17 the cheap seats, it's 19:23:18 MNK-T1_0007026593. 19:23:22 Thank you for pointing that 19:23:27 out, Andrew. 19:23:29 MR. O'CONNOR: You're welcome. 19:23:31 QUESTIONS BY MS. HERZFELD: 19:23:32	2 3 4 5 6 7 8 9 10	Q. Yes, ma'am.       19:25:14         A. So it's something DEA       19:25:16         published.       19:25:16         Q. Okay.       19:25:16         A. So that would include, am I       19:25:17         correct, all manufacturers of all products?       19:25:19         Q. Ma'am, you're the one who       19:25:22         forwarded this, so I wouldn't know.       19:25:24         A. Oh, we did?       19:25:25         Q. Yeah, I'm going to back up.       19:25:27
2 3 4 5 6 7 8 9 10 11 12	next one Exhibit 39. 19:23:08  (Mallinckrodt-Harper Exhibit 39 19:23:12  marked for identification.) 19:23:12  MS. HERZFELD: And for those in 19:23:17  the cheap seats, it's 19:23:18  MNK-T1_0007026593. 19:23:22  Thank you for pointing that 19:23:27  out, Andrew. 19:23:29  MR. O'CONNOR: You're welcome. 19:23:31  QUESTIONS BY MS. HERZFELD: 19:23:32  Q. Okay. So looking at this next 19:23:36	2 3 4 5 6 7 8 9 10 11	Q. Yes, ma'am.       19:25:14         A. So it's something DEA       19:25:16         published.       19:25:16         Q. Okay.       19:25:16         A. So that would include, am I       19:25:17         correct, all manufacturers of all products?       19:25:19         Q. Ma'am, you're the one who       19:25:22         forwarded this, so I wouldn't know.       19:25:24         A. Oh, we did?       19:25:25         Q. Yeah, I'm going to back up.       19:25:27         Okay. Let me ask this question first, and       19:25:29
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2 3 4 5 6 7 8 9 10 11 12 13 14	next one Exhibit 39. 19:23:08 (Mallinckrodt-Harper Exhibit 39 19:23:12 marked for identification.) 19:23:12 MS. HERZFELD: And for those in 19:23:17 the cheap seats, it's 19:23:18 MNK-T1_0007026593. 19:23:22 Thank you for pointing that 19:23:27 out, Andrew. 19:23:29 MR. O'CONNOR: You're welcome. 19:23:31 QUESTIONS BY MS. HERZFELD: 19:23:32 Q. Okay. So looking at this next 19:23:36 document, this is an e-mail that you sent to 19:23:38 Anthony Rattini on 10/14/2013; is that 19:23:40	2 3 4 5 6 7 8 9 10 11 12 13 14	Q. Yes, ma'am. 19:25:14  A. So it's something DEA 19:25:14  published. 19:25:16  Q. Okay. 19:25:16  A. So that would include, am I 19:25:17  correct, all manufacturers of all products? 19:25:19  Q. Ma'am, you're the one who 19:25:22  forwarded this, so I wouldn't know. 19:25:24  A. Oh, we did? 19:25:25  Q. Yeah, I'm going to back up. 19:25:27  Okay. Let me ask this question first, and 19:25:29  then we'll back up so you clarify that. 19:25:30  A. Okay. 19:25:32
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	next one Exhibit 39. 19:23:08  (Mallinckrodt-Harper Exhibit 39 19:23:12  marked for identification.) 19:23:12  MS. HERZFELD: And for those in 19:23:17  the cheap seats, it's 19:23:18  MNK-T1_0007026593. 19:23:22  Thank you for pointing that 19:23:27  out, Andrew. 19:23:29  MR. O'CONNOR: You're welcome. 19:23:31  QUESTIONS BY MS. HERZFELD: 19:23:32  Q. Okay. So looking at this next 19:23:36  document, this is an e-mail that you sent to 19:23:38  Anthony Rattini on 10/14/2013; is that 19:23:40  correct? 19:23:45  A. Yes. 19:23:45	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Yes, ma'am. 19:25:14  A. So it's something DEA 19:25:14  published. 19:25:16  Q. Okay. 19:25:16  A. So that would include, am I 19:25:17  correct, all manufacturers of all products? 19:25:19  Q. Ma'am, you're the one who 19:25:22  forwarded this, so I wouldn't know. 19:25:24  A. Oh, we did? 19:25:25  Q. Yeah, I'm going to back up. 19:25:27  Okay. Let me ask this question first, and 19:25:29  then we'll back up so you clarify that. 19:25:30  A. Okay. 19:25:32  Q. So what number is Tennessee on 19:25:32  this state ranking for oxycodone in 2011? 19:25:34
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	next one Exhibit 39. 19:23:08 (Mallinckrodt-Harper Exhibit 39 19:23:12 marked for identification.) 19:23:12 MS. HERZFELD: And for those in 19:23:17 the cheap seats, it's 19:23:18 MNK-T1_0007026593. 19:23:22 Thank you for pointing that 19:23:27 out, Andrew. 19:23:29 MR. O'CONNOR: You're welcome. 19:23:31 QUESTIONS BY MS. HERZFELD: 19:23:32 Q. Okay. So looking at this next 19:23:36 document, this is an e-mail that you sent to 19:23:38 Anthony Rattini on 10/14/2013; is that 19:23:40 correct? 19:23:45 A. Yes. 19:23:45 Q. Okay. And who is Anthony 19:23:47 Rattini? 19:23:58	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q. Yes, ma'am.       19:25:14         A. So it's something DEA       19:25:16         published.       19:25:16         Q. Okay.       19:25:16         A. So that would include, am I       19:25:17         correct, all manufacturers of all products?       19:25:19         Q. Ma'am, you're the one who       19:25:22         forwarded this, so I wouldn't know.       19:25:24         A. Oh, we did?       19:25:25         Q. Yeah, I'm going to back up.       19:25:27         Okay. Let me ask this question first, and       19:25:29         then we'll back up so you clarify that.       19:25:30         A. Okay.       19:25:32         Q. So what number is Tennessee on       19:25:32         this state ranking for oxycodone in 2011?       19:25:34         A. Number 9.       19:25:38         Q. Okay. And in 2000 okay.       19:25:39
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	next one Exhibit 39. 19:23:08  (Mallinckrodt-Harper Exhibit 39 19:23:12  marked for identification.) 19:23:12  MS. HERZFELD: And for those in 19:23:17  the cheap seats, it's 19:23:18  MNK-T1_0007026593. 19:23:22  Thank you for pointing that 19:23:27  out, Andrew. 19:23:29  MR. O'CONNOR: You're welcome. 19:23:31  QUESTIONS BY MS. HERZFELD: 19:23:32  Q. Okay. So looking at this next 19:23:36  document, this is an e-mail that you sent to 19:23:38  Anthony Rattini on 10/14/2013; is that 19:23:40  correct? 19:23:45  A. Yes. 19:23:45  Q. Okay. And who is Anthony 19:23:47  Rattini? 19:23:58  A. He is, or was, a representative 19:23:58	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. Yes, ma'am.       19:25:14         A. So it's something DEA       19:25:16         published.       19:25:16         Q. Okay.       19:25:16         A. So that would include, am I       19:25:17         correct, all manufacturers of all products?       19:25:19         Q. Ma'am, you're the one who       19:25:22         forwarded this, so I wouldn't know.       19:25:24         A. Oh, we did?       19:25:25         Q. Yeah, I'm going to back up.       19:25:27         Okay. Let me ask this question first, and       19:25:29         then we'll back up so you clarify that.       19:25:30         A. Okay.       19:25:32         Q. So what number is Tennessee on       19:25:32         this state ranking for oxycodone in 2011?       19:25:34         A. Number 9.       19:25:38         Q. Okay. And in 2000 okay.       19:25:39         Great. Thank you.       19:25:49
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	next one Exhibit 39. 19:23:08 (Mallinckrodt-Harper Exhibit 39 19:23:12 marked for identification.) 19:23:12 MS. HERZFELD: And for those in 19:23:17 the cheap seats, it's 19:23:18 MNK-T1_0007026593. 19:23:22 Thank you for pointing that 19:23:27 out, Andrew. 19:23:29 MR. O'CONNOR: You're welcome. 19:23:31 QUESTIONS BY MS. HERZFELD: 19:23:32 Q. Okay. So looking at this next 19:23:36 document, this is an e-mail that you sent to 19:23:38 Anthony Rattini on 10/14/2013; is that 19:23:40 correct? 19:23:45 A. Yes. 19:23:45 Q. Okay. And who is Anthony 19:23:47 Rattini? 19:23:58 A. He is, or was, a representative 19:23:58 we spoke to at Miami-Luken. 19:24:03 Q. And Miami-Luken is what? 19:24:06	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Yes, ma'am.       19:25:14         A. So it's something DEA       19:25:16         published.       19:25:16         Q. Okay.       19:25:16         A. So that would include, am I       19:25:17         correct, all manufacturers of all products?       19:25:19         Q. Ma'am, you're the one who       19:25:22         forwarded this, so I wouldn't know.       19:25:24         A. Oh, we did?       19:25:25         Q. Yeah, I'm going to back up.       19:25:27         Okay. Let me ask this question first, and       19:25:29         then we'll back up so you clarify that.       19:25:30         A. Okay.       19:25:32         Q. So what number is Tennessee on       19:25:32         this state ranking for oxycodone in 2011?       19:25:34         A. Number 9.       19:25:38         Q. Okay. And in 2000 okay.       19:25:39         Great. Thank you.       19:25:49         A. Okay.       19:25:49         Q. Okay. Now going back to what I       19:25:49
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	next one Exhibit 39. 19:23:08 (Mallinckrodt-Harper Exhibit 39 19:23:12 marked for identification.) 19:23:12 MS. HERZFELD: And for those in 19:23:17 the cheap seats, it's 19:23:18 MNK-T1_0007026593. 19:23:22 Thank you for pointing that 19:23:27 out, Andrew. 19:23:29 MR. O'CONNOR: You're welcome. 19:23:31 QUESTIONS BY MS. HERZFELD: 19:23:32 Q. Okay. So looking at this next 19:23:36 document, this is an e-mail that you sent to 19:23:38 Anthony Rattini on 10/14/2013; is that 19:23:40 correct? 19:23:45 A. Yes. 19:23:45 Q. Okay. And who is Anthony 19:23:47 Rattini? 19:23:58 we spoke to at Miami-Luken. 19:24:03 Q. And Miami-Luken is what? 19:24:06 A. It's a distributor. 19:24:09	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. Yes, ma'am.       19:25:14         A. So it's something DEA       19:25:16         published.       19:25:16         Q. Okay.       19:25:16         A. So that would include, am I       19:25:17         correct, all manufacturers of all products?       19:25:19         Q. Ma'am, you're the one who       19:25:22         forwarded this, so I wouldn't know.       19:25:24         A. Oh, we did?       19:25:25         Q. Yeah, I'm going to back up.       19:25:27         Okay. Let me ask this question first, and       19:25:29         then we'll back up so you clarify that.       19:25:30         A. Okay.       19:25:32         Q. So what number is Tennessee on       19:25:32         this state ranking for oxycodone in 2011?       19:25:34         A. Number 9.       19:25:38         Q. Okay. And in 2000 okay.       19:25:39         Great. Thank you.       19:25:49         A. Okay.       19:25:49         Q. Okay. Now going back to what I       19:25:49         think what was your concern. If you back to       19:25:50
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	next one Exhibit 39. 19:23:08 (Mallinckrodt-Harper Exhibit 39 19:23:12 marked for identification.) 19:23:12 MS. HERZFELD: And for those in 19:23:17 the cheap seats, it's 19:23:18 MNK-T1_0007026593. 19:23:22 Thank you for pointing that 19:23:27 out, Andrew. 19:23:29 MR. O'CONNOR: You're welcome. 19:23:31 QUESTIONS BY MS. HERZFELD: 19:23:32 Q. Okay. So looking at this next 19:23:36 document, this is an e-mail that you sent to 19:23:38 Anthony Rattini on 10/14/2013; is that 19:23:40 correct? 19:23:45 A. Yes. 19:23:45 Q. Okay. And who is Anthony 19:23:47 Rattini? 19:23:58 A. He is, or was, a representative 19:23:58 we spoke to at Miami-Luken. 19:24:03 Q. And Miami-Luken is what? 19:24:06 A. It's a distributor. 19:24:09 Q. Okay. And do you know where 19:24:10	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Yes, ma'am.       19:25:14         A. So it's something DEA       19:25:16         published.       19:25:16         Q. Okay.       19:25:16         A. So that would include, am I       19:25:17         correct, all manufacturers of all products?       19:25:19         Q. Ma'am, you're the one who       19:25:22         forwarded this, so I wouldn't know.       19:25:24         A. Oh, we did?       19:25:25         Q. Yeah, I'm going to back up.       19:25:27         Okay. Let me ask this question first, and       19:25:29         then we'll back up so you clarify that.       19:25:30         A. Okay.       19:25:32         Q. So what number is Tennessee on       19:25:32         this state ranking for oxycodone in 2011?       19:25:34         A. Number 9.       19:25:38         Q. Okay. And in 2000 okay.       19:25:39         Great. Thank you.       19:25:49         A. Okay.       19:25:49         Q. Okay. Now going back to what I       19:25:49         think what was your concern. If you back to       19:25:50         the very first page, which was the e-mail.       19:25:53
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	next one Exhibit 39. 19:23:08 (Mallinckrodt-Harper Exhibit 39 19:23:12 marked for identification.) 19:23:12 MS. HERZFELD: And for those in 19:23:17 the cheap seats, it's 19:23:18 MNK-T1_0007026593. 19:23:22 Thank you for pointing that 19:23:27 out, Andrew. 19:23:29 MR. O'CONNOR: You're welcome. 19:23:31 QUESTIONS BY MS. HERZFELD: 19:23:32 Q. Okay. So looking at this next 19:23:36 document, this is an e-mail that you sent to 19:23:38 Anthony Rattini on 10/14/2013; is that 19:23:40 correct? 19:23:45 A. Yes. 19:23:45 Q. Okay. And who is Anthony 19:23:47 Rattini? 19:23:58 we spoke to at Miami-Luken. 19:24:03 Q. And Miami-Luken is what? 19:24:06 A. It's a distributor. 19:24:09	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Yes, ma'am.       19:25:14         A. So it's something DEA       19:25:16         published.       19:25:16         Q. Okay.       19:25:16         A. So that would include, am I       19:25:17         correct, all manufacturers of all products?       19:25:19         Q. Ma'am, you're the one who       19:25:22         forwarded this, so I wouldn't know.       19:25:24         A. Oh, we did?       19:25:25         Q. Yeah, I'm going to back up.       19:25:27         Okay. Let me ask this question first, and       19:25:29         then we'll back up so you clarify that.       19:25:30         A. Okay.       19:25:32         Q. So what number is Tennessee on       19:25:32         this state ranking for oxycodone in 2011?       19:25:34         A. Number 9.       19:25:38         Q. Okay. And in 2000 okay.       19:25:39         Great. Thank you.       19:25:49         A. Okay.       19:25:49         Q. Okay. Now going back to what I       19:25:49         think what was your concern. If you back to       19:25:50

	Page 514		Page 516
1	A. Yes. 19:25:57	1	MR. O'CONNOR: Objection to 19:28:07
2	Q. Okay. It says, "Hi, Tony. It 19:25:58	2	form. 19:28:08
3	was very good to speak with you today, and 19:26:02	3	THE WITNESS: So we reviewed 19:28:08
4	I'm looking forward to finally meeting you in 19:26:03	4	all the data for all the states, so it 19:28:09
5	person next week at the DEA conference. The 19:26:05	5	was among those that were of concern. 19:28:13
6	first PDF attached was pulled from the DEA 19:26:06	6	QUESTIONS BY MS. HERZFELD: 19:28:16
7	web page USDOJ.gov, a recent presentation 19:26:10	7	Q. Okay. And why was that of 19:28:16
8	made to HDMA as indicated below. The second 19:26:13	8	concern? 19:28:18
9	PDF was extracted from DEA web page also, 19:26:17	9	A. So which charts are we talking 19:28:18
10	registrant population information pharmacy 19:26:19	10	about, these last ones from DEA? 19:28:21
11	registrations." 19:26:22	11	Q. Yes. 19:28:23
12	Did I read that correctly? 19:26:22	12	A. So I'd like to add that since 19:28:24
13	A. Yes. 19:26:23	13	these were from DEA, all manufacturers and 19:28:29
14	Q. Okay. So it looks like you 19:26:23	14	there were certain areas of the country that 19:28:33
15	attached both of these as attachments to the 19:26:25	15	Mallinckrodt may have had zero of the market. 19:28:35
16	e-mail you sent to Mr. Rattini; is that 19:26:28	16	There are other hydrocodone manufacturers and 19:28:39
17	correct? 19:26:31	17	oxycodone manufacturers. So, yes, we studied 19:28:42
18	A. Yes. 19:26:31	18	these graphs as a tool within our program, 19:28:45
19	Q. Okay. And what is HDMA? 19:26:32	19	yes. 19:28:48
20	A. It's Healthcare Distribution 19:26:40	20	Q. Okay. But if we go back to, 19:28:48
21	Management Association. 19:26:44	21	let's see, this one, I think. Yeah, 19:28:51
22	Q. Okay. Okay. Moving on. You 19:26:44	22	Exhibit 35. 19:28:59
23	can get rid of that one. 19:26:55	23	You agreed with me before that 19:28:59
24	Okay. Was Mallinckrodt 19:26:57	24	one of the states that Mallinckrodt was 19:29:01
25	concerned about the number of opioids that it 19:27:14	25	monitoring was Tennessee; is that right? 19:29:02
	Page 515		Page 517
			_
1 1	wee chinning to Tannaccaa' 10.77.16	1 1	A Voc Voc 10:20:03
1	was shipping to Tennessee? 19:27:16  MR_OCONNOR: Objection to 19:27:18	1	A. Yes. Yes. 19:29:03
2	MR. O'CONNOR: Objection to 19:27:18	2	Q. Okay. And so based on 19:29:03
2 3	MR. O'CONNOR: Objection to 19:27:18 form. 19:27:19	2	Q. Okay. And so based on 19:29:03  Mallinckrodt's own documentation here in 19:29:05
2 3 4	MR. O'CONNOR: Objection to 19:27:18 form. 19:27:19 THE WITNESS: It's a broad 19:27:20	2 3 4	Q. Okay. And so based on 19:29:03  Mallinckrodt's own documentation here in 19:29:05  Exhibit 35, you were monitoring Tennessee 19:29:08
2 3 4 5	MR. O'CONNOR: Objection to 19:27:18 form. 19:27:19  THE WITNESS: It's a broad 19:27:20 question, so can you I'm sorry, I 19:27:26	2 3 4 5	Q. Okay. And so based on 19:29:03  Mallinckrodt's own documentation here in 19:29:05  Exhibit 35, you were monitoring Tennessee 19:29:08  specifically for opioid sales; is that 19:29:12
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2 3 4 5 6 7 8 9 10 11 12 13 14 15	MR. O'CONNOR: Objection to 19:27:18 form. 19:27:19 THE WITNESS: It's a broad 19:27:20 question, so can you I'm sorry, I 19:27:26 can't answer. 19:27:30  QUESTIONS BY MS. HERZFELD: 19:27:30 Q. Sure. Okay. I'll try to 19:27:31 I'll try to narrow it a little bit. 19:27:34     It looks like Tennessee, 19:27:35 according to some of the charts we've seen, 19:27:37 has been at the higher level of numbers of 19:27:38 opioids being shipped to it; is that correct? 19:27:43     MR. O'CONNOR: Objection to 19:27:45 form. 19:27:46 THE WITNESS: Yes. 19:27:46	2 3 4 5 6 7 8 9 10 11 12 13 14	Q. Okay. And so based on 19:29:03  Mallinckrodt's own documentation here in 19:29:05  Exhibit 35, you were monitoring Tennessee 19:29:08  specifically for opioid sales; is that 19:29:12  correct? 19:29:15  A. Yes. 19:29:15  Q. Okay. Okay. You can set that 19:29:19  aside. 19:29:22  (Mallinckrodt-Harper Exhibit 40 19:29:29  marked for identification.) 19:29:30  QUESTIONS BY MS. HERZFELD: 19:29:30  what we'll mark as Exhibit 40. And this is 19:29:33  MNK_TNSTA05126722 through 6735. It's front 19:29:39  and back document. 19:29:53
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	Page 518		Page 520
1	Q. What is it? 19:30:39	1	
2	A. 30-milligram oxy, sum of sales, 19:30:40	2	A. Yes. 42 percent. 19:32:56
3	dosage units by state. 19:30:45	3	Q. Okay. And then 2011 increase? 19:32:57
4	Q. Okay. So looking at that, it 19:30:46	4	A. 11 percent. 19:33:00
5	looks like Mallinckrodt was tracking the 19:30:49	5	Q. Okay. And then going over 19:33:03
6	oxy 30 sales by state in 2009, 2010 and 2011; 19:30:51	6	exactly stay on that exact line and go 19:33:05
7	is that correct? 19:30:58	7	over one, and then we're at 15-milligram oxy, 19:33:07
8	A. I see 2010 and I see 2000 19:30:58	8	sum of sales dosage units by state. And 19:33:11
9	2011. I don't see 2009 on the chart. 19:31:14	9	we're still at number 7 here, Tennessee. 19:33:13
10	Q. Okay. I'll show you right 19:31:16	10	Do you see that? 19:33:16
11	here. 19:31:17	11	A. I'd like to use a piece of 19:33:17
12	A. Okay. 19:31:17	12	paper 19:33:18
13	Q. Right under B? 19:31:18	13	Q. Yeah, sure. It will certainly 19:33:18
14	A. Okay. I see it now, thank you, 19:31:25	14	make it easier. 19:33:20
	•	15	
15	yes. 19:31:26 Q. 2009, 2010, 2011. 19:31:26	16	A. I'm sorry. I just had eye 19:33:21 surgery. I'm sorry. 19:33:26
17	Q. 2009, 2010, 2011. 19:31:26 A. Yeah. 19:31:26	17	surgery. I'm sorry. 19:33:26 Q. For sure. And I'm not trying 19:33:28
			· · · · · · · · · · · · · · · · · · ·
18	Q. Okay. And what number is 19:31:29	18	to make this difficult on you. 19:33:30
19	Tennessee on this list? 19:31:30  A. This list indicates 19:31:31	20	A. Okay. I'm on line 7. 19:33:31
			Q. Okay. And so it shows the 15 19:33:33
21	Tennessee is seventh listed, but this is by 19:31:46	21	on line 7. Then it says percentage of grand 19:33:35
22	sales dollars, am I correct, not dosage 19:31:51	22	total there under Q4, .49 percent; is that 19:33:37
23	units? 19:31:54	23	right? 19:33:41 A. Yes. 19:33:41
25	Q. It says it says sum of sales 19:31:54 dosage units by state, so 19:31:56	25	A. Yes. 19:33:41 Q. Okay. And then it says units 19:33:42
23	dosage units by state, so 19.51.50	23	Q. Okay. And then it says tillits 19.33.42
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1	Okay. So it says Tennessee is 19:32:08	1	per capita, 1.87; is that correct? 19:33:44
2	number 7; is that right? 19:32:11	2	A. Yes. 19:33:47
3	A. Yes, it does say that. 19:32:12	3	Q. Units per capita rank, 19:33:48
4	Q. Okay. And then if you go over 19:32:16	4	1,100.02
5	a couple blocks here, it has the various 19:32:17	5	A. Yes. 19:33:53
6	numbers. Then it says grand percent total, 19:32:22	6	Q. Population rank, 17. 19:33:54
7	3.64 percent. 19:32:24	7	And then it goes through the 19:33:58
8	Do you see where that's at? 19:32:26	8	census population through 2010, 2000, 1990. 19:34:02
9	A. I'm having a hard time tracking 19:32:28	9	Do you see that? 19:34:06
10	you. 19:32:31	10	A. Yes. 19:34:07
11	Q. I know, it's so small. 19:32:32	11	Q. I want to make sure I am 19:34:07
12	A. On the chart. 19:32:33	12	staying on the right line. 19:34:09
13	Q. Do you want to use a piece of 19:32:34	13	And then it says percentage of 19:34:10
14	paper? 19:32:35	14	US total, 2.03 percent. 19:34:12
15	A. Can you give me a column header 19:32:35	15	Do you see that? 19:34:15
16	name? 19:32:37	16	A. Yes. 19:34:15
17	Q. Uh-huh, sure. Okay. So let's 19:32:39	17	Q. Okay. Then if you go follow 19:34:15
18	look at we're at number 7, and G. So 7 G. 19:32:40	18	that line all the way to the very end. It 19:34:20
19	A. Okay. Yes, I see it. 19:32:43	19	ranks by density and population, and then it 19:34:22
20	Q. Okay. And so it says grand 19:32:47	20	says units adjusted for density, 8.85. 19:34:26
21	total percent is 3.64 percent; is that right? 19:32:48	21	Do you see that? 19:34:30
		122	A. Yes. 19:34:31
22	A. Yes. 19:32:51	22	
23	Q. Okay. And then it says 2010 19:32:51	23	Q. Okay. And did you create this 19:34:33
23 24	Q. Okay. And then it says 2010 19:32:51 increase. 19:32:53	23 24	Q. Okay. And did you create this 19:34:33 chart? 19:34:35
23	Q. Okay. And then it says 2010 19:32:51	23	Q. Okay. And did you create this 19:34:33

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1	it. I did not. 19:34:38	1	A. Well, I do not. 19:36:06
2		2	Q. Okay. Okay. You can set it 19:36:14
3	Q. Okay. 19:34:39 A. No. 19:34:39		aside. Thank you. 19:36:15
4		4	MR. O'CONNOR: Counsel, as 19:36:19
5		5	, ·
	monitoring chargeback data by state and 19:34:42	6	,
6	population? 19:34:45		maybe it's time to take a break. I 19:36:21
7	A. I don't know. It's monitoring 19:34:45	7	think we've been going at it for quite 19:36:25
8	by state and by population, but, again, is it 19:34:54	8	a while. 19:36:27
9	dosage units or dollars. I don't know the 19:34:58	9	MS. HERZFELD: How long have I 19:36:28
10	units of measure for certain. 19:35:02	10	been going?  VIDEOGRAPHER: A little over an
11	Q. Okay. But other than that, not 19:35:04	11	
12	knowing what the unit of measure is, you 19:35:06	12	hour. Hour and ten minutes.
13	recognize this as chargeback data by state 19:35:09	13	MS. HERZFELD: Oh, we can take
14	and population? 19:35:11	14	a break, yeah, but yeah, sure,
15	A. I don't recognize where the 19:35:13	15	okay. Yeah, we can take a break.
16	data came from, I'm sorry. 19:35:17	16	VIDEOGRAPHER: We are going off 19:36:33
17	Q. Okay. 19:35:18	17	the record at 7:36 p.m. 19:36:34
18	A. I just don't. 19:35:18	18	(Off the record at 7:36 p.m.) 19:36:35
19	Q. So have you seen this chart 19:35:19	19	VIDEOGRAPHER: We are back on 19:45:27
20	before? 19:35:21	20	the record at 7:45 p.m. 19:45:28
21	A. No. 19:35:21		QUESTIONS BY MS. HERZFELD: 19:45:30
22	Q. Have you did you have 19:35:22	22	Q. Okay. Great. 19:45:30
23	reports run like this before? 19:35:24	23	Ms. Harper, we're back on the 19:45:31
24	A. No. 19:35:26	1	record after a quick break. I have a couple 19:45:34
25	Q. Do you know if anybody on your 19:35:26	25	more questions for you. Hopefully we'll get 19:45:37
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1	team did? 19:35:27	1	you out of here relatively quickly. 19:45:39
2	A. I do not know. 19:35:28	2	I'm done with that exhibit, so 19:45:41
3	Q. Okay. When you save things on 19:35:31	3	you can set it aside. 19:45:43
4	a computer in your team back in 2010, 2011, 19:35:34	4	I have a question about the 19:45:45
5	would you have a share drive? 19:35:38	5	branded side of Mallinckrodt. 19:45:51
6	A. Yes. 19:35:40	6	Did you deal at all with them? 19:45:52
7	Q. Okay. Would it have certain 19:35:40	7	A. On a fairly limited basis. 19:45:54
8	folders in it? 19:35:43	8	Q. Okay. And what was your 19:45:56
9	A. Yes. 19:35:43	9	involvement with the branded side? 19:45:58
10	Q. You put stuff in a folder? 19:35:44	10	A. Only to the extent that they 19:46:00
11	Was there a folder for 19:35:45	11	sold branded products that were narcotics. 19:46:06
12	suspicious order monitoring? 19:35:47	12	Q. Okay. So like Exalgo or 19:46:10
13	A. Yes, and I do see the title. 19:35:47		Xartemis? 19:46:13
14	Q. Yes, ma'am. 19:35:49	14	A. Yes. 19:46:15
15	A. I see that. 19:35:50	15	Q. Okay. And so I'm going to ask 19:46:15
16	Q. Uh-huh. 19:35:51		you some questions about that just to figure 19:46:18
17	A. And certainly I can read it, 19:35:52		out if there's what your role is. 19:46:19
18	but I I don't recall seeing or utilizing 19:35:54	18	Okay? 19:46:20
19	this spreadsheet or requesting this 19:35:58	19	A. Okay. 19:46:21
20	spreadsheet, although I do see that the file 19:36:00	20	Q. So the branded side had target 19:46:22
21	name indicates that. 19:36:02		pharmacy lists; is that correct? 19:46:26
22	Q. Okay. 19:36:03	22	A. I don't know. 19:46:27
23	A. Yes. 19:36:03	23	Q. Okay. Were you ever involved 19:46:28
24	Q. Do you have any reason to think 19:36:04	1	in reviewing target pharmacy lists from the 19:46:30
25	that it's not accurate? 19:36:05	25	branded sided? 19:46:33

	<b>3</b> 1		
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1	A. So I'm going to I'm going to 19:46:34	1	Q. Okay. And top prescribers for 19:48:27
2	clarify my previous answer. 19:46:36	2	Mallinckrodt products, those prescriptions 19:48:31
3	Q. Sure. 19:46:37	3	could have been legitimate; is that right? 19:48:32
4	A. Because, yes, I believe they 19:46:39	4	A. Yes. 19:48:34
5	had I don't know what they were called 19:46:42	5	Q. Okay. And those prescriptions 19:48:35
6	Q. Okay. 19:46:42	6	also could have been illegitimate? 19:48:37
7	A but they did you say 19:46:44	7	A. And I'd like to qualify that. 19:48:40
8	pharmacies? 19:46:45	8	Q. Yes, ma'am. 19:48:41
9	Q. Yes, ma'am. 19:46:45	9	A. So our top prescriber list 19:48:42
10	A. I'm not certain about that. 19:46:46	10	Q. Yes, ma'am. 19:48:44
11	Q. Okay. What about physicians? 19:46:48	11	A I don't know if that was 19:48:45
12	A. Yes. 19:46:49	12	exclusive to Mallinckrodt product, but it was 19:48:46
13	Q. Okay. 19:46:50	13	for oxy 15 and oxy 30. 19:48:47
14	A. Yes. Yes. 19:46:50	14	Q. Okay. So for the folks that 19:48:50
15	Q. And do you what was your 19:46:51	15	were the top prescribers of oxy 15 and 19:48:53
16	involvement in reviewing those target 19:46:54	16	oxy 30, those could be legitimate doctors. 19:48:56
17	physician lists? 19:46:56	17	They could be at the top of the list; is that 19:48:58
18	A. When we had when we were 19:46:57	18	right? 19:49:01
19	using the top prescriber list from the IMS 19:47:02	19	A. Correct. 19:49:01
20	data, we would vet that against the speakers 19:47:06	20	Q. Or those could be people who 19:49:01
21	list. 19:47:13	21	were operating pill mills. They could also 19:49:03
22	Q. Okay. And what's the speakers 19:47:13	22	be at the top of the list? 19:49:05
23	list? 19:47:18	23	A. Potentially, yes. 19:49:06
24	A. Those were speakers that and 19:47:18	24	Q. Okay. And did Mallinckrodt 19:49:07
25	I don't know very much about the program, but 19:47:21	25	have a way of figuring that out? 19:49:11
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1	that Mallinckrodt employed to speak on our 19:47:23	1	A. When we used that list and the 19:49:12
2	I don't know I don't know the arrangement, 19:47:28	2	review with our distributors of their 19:49:18
3	but they spoke on behalf of Mallinckrodt for 19:47:30	3	downstream registrants, again, if they 19:49:20
4	Mallinckrodt products. But I don't want to 19:47:33	4	provided us the names of the top prescribers 19:49:22
l _	reach too far into the brands because 19:47:34	l _	
5	Teach too far into the brands because 17.47.34	5	at the pharmacy, and if that coincided with 19:49:26
6		6	at the pharmacy, and if that coincided with 19:49:26 the top prescriber list we had within the 19:49:29
	okay. 19:47:37		the top prescriber list we had within the 19:49:29
6	okay. 19:47:37  Q. Okay. As long as I understand 19:47:37	6	the top prescriber list we had within the country, we would have a detailed 19:49:32
6 7	okay. 19:47:37 Q. Okay. As long as I understand 19:47:37	6 7	the top prescriber list we had within the 19:49:29 country, we would have a detailed 19:49:32 conversation with the distributor about the 19:49:34
6 7 8	okay. 19:47:37  Q. Okay. As long as I understand 19:47:37  your answer. 19:47:40	6 7 8	the top prescriber list we had within the 19:49:29 country, we would have a detailed 19:49:32 conversation with the distributor about the 19:49:34
6 7 8 9	okay. 19:47:37 Q. Okay. As long as I understand 19:47:37 your answer. 19:47:40 A. Yeah. 19:47:41	6 7 8 9	the top prescriber list we had within the 19:49:29 country, we would have a detailed 19:49:32 conversation with the distributor about the 19:49:34 fact that that prescriber appeared on the 19:49:37
6 7 8 9	okay. 19:47:37  Q. Okay. As long as I understand 19:47:37  your answer. 19:47:40  A. Yeah. 19:47:41  Q. Okay. And so on do you know 19:47:41	6 7 8 9	the top prescriber list we had within the country, we would have a detailed 19:49:32 conversation with the distributor about the 19:49:34 fact that that prescriber appeared on the 19:49:37 list. 19:49:40
6 7 8 9 10 11	okay. 19:47:37  Q. Okay. As long as I understand 19:47:37  your answer. 19:47:40  A. Yeah. 19:47:41  Q. Okay. And so on do you know 19:47:41  on if when you looked at those top 19:47:44	6 7 8 9 10 11	the top prescriber list we had within the 19:49:29 country, we would have a detailed 19:49:32 conversation with the distributor about the 19:49:34 fact that that prescriber appeared on the 19:49:37 list. 19:49:40  Q. So that they were a top 19:49:40
6 7 8 9 10 11	okay. 19:47:37 Q. Okay. As long as I understand 19:47:37 your answer. 19:47:40 A. Yeah. 19:47:41 Q. Okay. And so on do you know 19:47:41 on if when you looked at those top 19:47:44 prescriber lists, did you review those at all 19:47:47	6 7 8 9 10 11 12	the top prescriber list we had within the 19:49:29 country, we would have a detailed 19:49:32 conversation with the distributor about the 19:49:34 fact that that prescriber appeared on the 19:49:37 list. 19:49:40  Q. So that they were a top 19:49:40 prescriber? 19:49:43
6 7 8 9 10 11 12 13	okay. 19:47:37 Q. Okay. As long as I understand 19:47:37 your answer. 19:47:40 A. Yeah. 19:47:41 Q. Okay. And so on do you know 19:47:41 on if when you looked at those top 19:47:44 prescriber lists, did you review those at all 19:47:47 from a suspicious order monitoring 19:47:51	6 7 8 9 10 11 12	the top prescriber list we had within the 19:49:29 country, we would have a detailed 19:49:32 conversation with the distributor about the 19:49:34 fact that that prescriber appeared on the 19:49:37 list. 19:49:40  Q. So that they were a top 19:49:40 prescriber? 19:49:43  A. Yes. 19:49:43
6 7 8 9 10 11 12 13 14	okay. 19:47:37  Q. Okay. As long as I understand 19:47:37  your answer. 19:47:40  A. Yeah. 19:47:41  Q. Okay. And so on do you know 19:47:41  on if when you looked at those top 19:47:44  prescriber lists, did you review those at all 19:47:47  from a suspicious order monitoring 19:47:51  perspective? 19:47:53	6 7 8 9 10 11 12 13	the top prescriber list we had within the country, we would have a detailed 19:49:32 conversation with the distributor about the 19:49:34 fact that that prescriber appeared on the 19:49:37 list. 19:49:40  Q. So that they were a top 19:49:40 prescriber? 19:49:43  A. Yes. 19:49:43  Q. Okay. Okay. And so do you 19:49:44
6 7 8 9 10 11 12 13 14	okay. 19:47:37 Q. Okay. As long as I understand 19:47:37 your answer. 19:47:40 A. Yeah. 19:47:41 Q. Okay. And so on do you know 19:47:41 on if when you looked at those top 19:47:44 prescriber lists, did you review those at all 19:47:47 from a suspicious order monitoring 19:47:51 perspective? 19:47:53 A. Yes. 19:47:54	6 7 8 9 10 11 12 13 14	the top prescriber list we had within the 19:49:29 country, we would have a detailed 19:49:32 conversation with the distributor about the 19:49:34 fact that that prescriber appeared on the 19:49:37 list. 19:49:40  Q. So that they were a top 19:49:40 prescriber? 19:49:43  A. Yes. 19:49:43  Q. Okay. Okay. And so do you 19:49:44 know if anyone from Mallinckrodt sales team 19:49:47
6 7 8 9 10 11 12 13 14 15 16	okay. 19:47:37  Q. Okay. As long as I understand 19:47:37  your answer. 19:47:40  A. Yeah. 19:47:41  Q. Okay. And so on do you know 19:47:41  on if when you looked at those top 19:47:44  prescriber lists, did you review those at all 19:47:47  from a suspicious order monitoring 19:47:51  perspective? 19:47:53  A. Yes. 19:47:54  Q. Okay. And what did you do for 19:47:56	6 7 8 9 10 11 12 13 14 15 16	the top prescriber list we had within the 19:49:29 country, we would have a detailed 19:49:32 conversation with the distributor about the 19:49:34 fact that that prescriber appeared on the 19:49:37 list. 19:49:40  Q. So that they were a top 19:49:40 prescriber? 19:49:43  A. Yes. 19:49:43  Q. Okay. Okay. And so do you 19:49:44 know if anyone from Mallinckrodt sales team 19:49:47 was supposed to report signs of diversion to 19:49:52
6 7 8 9 10 11 12 13 14 15 16 17	okay. 19:47:37  Q. Okay. As long as I understand 19:47:37  your answer. 19:47:40  A. Yeah. 19:47:41  Q. Okay. And so on do you know 19:47:41  on if when you looked at those top 19:47:44  prescriber lists, did you review those at all 19:47:47  from a suspicious order monitoring 19:47:51  perspective? 19:47:53  A. Yes. 19:47:54  Q. Okay. And what did you do for 19:47:56  that? 19:47:58	6 7 8 9 10 11 12 13 14 15 16 17	the top prescriber list we had within the country, we would have a detailed 19:49:32 conversation with the distributor about the 19:49:34 fact that that prescriber appeared on the 19:49:37 list. 19:49:40  Q. So that they were a top 19:49:40 prescriber? 19:49:43  A. Yes. 19:49:43  Q. Okay. Okay. And so do you 19:49:44 know if anyone from Mallinckrodt sales team 19:49:47 was supposed to report signs of diversion to 19:49:52 you? 19:49:58
6 7 8 9 10 11 12 13 14 15 16 17	okay. 19:47:37 Q. Okay. As long as I understand 19:47:37 your answer. 19:47:40 A. Yeah. 19:47:41 Q. Okay. And so on do you know 19:47:41 on if when you looked at those top 19:47:44 prescriber lists, did you review those at all 19:47:47 from a suspicious order monitoring 19:47:51 perspective? 19:47:53 A. Yes. 19:47:54 Q. Okay. And what did you do for 19:47:56 that? 19:47:58 A. So that is when, in the 19:47:58	6 7 8 9 10 11 12 13 14 15 16 17	the top prescriber list we had within the 19:49:29 country, we would have a detailed 19:49:32 conversation with the distributor about the 19:49:34 fact that that prescriber appeared on the 19:49:37 list. 19:49:40  Q. So that they were a top 19:49:40 prescriber? 19:49:43  A. Yes. 19:49:43  Q. Okay. Okay. And so do you 19:49:44 know if anyone from Mallinckrodt sales team 19:49:47 was supposed to report signs of diversion to 19:49:52 you? 19:49:58  A. We spoke before about the NAMs, 19:49:58
6 7 8 9 10 11 12 13 14 15 16 17 18	okay. 19:47:37  Q. Okay. As long as I understand 19:47:37  your answer. 19:47:40  A. Yeah. 19:47:41  Q. Okay. And so on do you know 19:47:41  on if when you looked at those top 19:47:44  prescriber lists, did you review those at all 19:47:47  from a suspicious order monitoring 19:47:51  perspective? 19:47:53  A. Yes. 19:47:54  Q. Okay. And what did you do for 19:47:56  that? 19:47:58  A. So that is when, in the 19:47:58  circumstance we spoke about before, if we 19:48:01	6 7 8 9 10 11 12 13 14 15 16 17 18	the top prescriber list we had within the country, we would have a detailed 19:49:32 conversation with the distributor about the 19:49:34 fact that that prescriber appeared on the 19:49:37 list. 19:49:40  Q. So that they were a top 19:49:40 prescriber? 19:49:43  A. Yes. 19:49:43  Q. Okay. Okay. And so do you 19:49:44 know if anyone from Mallinckrodt sales team 19:49:47 was supposed to report signs of diversion to 19:49:52 you? 19:49:58  A. We spoke before about the NAMs, 19:49:58 the narcotic national account managers. 19:50:00
6 7 8 9 10 11 12 13 14 15 16 17 18 19	okay. 19:47:37 Q. Okay. As long as I understand 19:47:37 your answer. 19:47:40 A. Yeah. 19:47:41 Q. Okay. And so on do you know 19:47:41 on if when you looked at those top 19:47:44 prescriber lists, did you review those at all 19:47:47 from a suspicious order monitoring 19:47:51 perspective? 19:47:53 A. Yes. 19:47:54 Q. Okay. And what did you do for 19:47:56 that? 19:47:58 A. So that is when, in the 19:47:58 circumstance we spoke about before, if we 19:48:01 were reviewing a downstream registrant and 19:48:04	6 7 8 9 10 11 12 13 14 15 16 17 18 19	the top prescriber list we had within the country, we would have a detailed 19:49:32 conversation with the distributor about the 19:49:34 fact that that prescriber appeared on the 19:49:37 list. 19:49:40  Q. So that they were a top 19:49:40 prescriber? 19:49:43  A. Yes. 19:49:43  Q. Okay. Okay. And so do you 19:49:44 know if anyone from Mallinckrodt sales team 19:49:47 was supposed to report signs of diversion to 19:49:52 you? 19:49:58  A. We spoke before about the NAMs, 19:49:58 the narcotic national account managers. 19:50:00  Q. Yes, ma'am. 19:50:02
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	okay. 19:47:37 Q. Okay. As long as I understand 19:47:37 your answer. 19:47:40 A. Yeah. 19:47:41 Q. Okay. And so on do you know 19:47:41 on if when you looked at those top 19:47:44 prescriber lists, did you review those at all 19:47:47 from a suspicious order monitoring 19:47:51 perspective? 19:47:53 A. Yes. 19:47:54 Q. Okay. And what did you do for 19:47:56 that? 19:47:58 A. So that is when, in the 19:47:58 circumstance we spoke about before, if we 19:48:01 were reviewing a downstream registrant and 19:48:04 their due diligence with a particular 19:48:10	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	the top prescriber list we had within the country, we would have a detailed 19:49:32 conversation with the distributor about the 19:49:34 fact that that prescriber appeared on the 19:49:37 list. 19:49:40  Q. So that they were a top 19:49:40  prescriber? 19:49:43  A. Yes. 19:49:43  Q. Okay. Okay. And so do you 19:49:44 know if anyone from Mallinckrodt sales team 19:49:47 was supposed to report signs of diversion to 19:49:52 you? 19:49:58  A. We spoke before about the NAMs, 19:49:58 the narcotic national account managers. 19:50:00  Q. Yes, ma'am. 19:50:02  A. We asked them to be our 19:50:03
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	okay. 19:47:37 Q. Okay. As long as I understand 19:47:37 your answer. 19:47:40 A. Yeah. 19:47:41 Q. Okay. And so on do you know 19:47:41 on if when you looked at those top 19:47:44 prescriber lists, did you review those at all 19:47:47 from a suspicious order monitoring 19:47:51 perspective? 19:47:53 A. Yes. 19:47:54 Q. Okay. And what did you do for 19:47:56 that? 19:47:58 A. So that is when, in the 19:47:58 circumstance we spoke about before, if we 19:48:01 were reviewing a downstream registrant and 19:48:04 their due diligence with a particular 19:48:10 pharmacy, if the distributor's file contained 19:48:12	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	the top prescriber list we had within the country, we would have a detailed 19:49:32 conversation with the distributor about the 19:49:34 fact that that prescriber appeared on the 19:49:37 list. 19:49:40  Q. So that they were a top 19:49:40 prescriber? 19:49:43  A. Yes. 19:49:43  Q. Okay. Okay. And so do you 19:49:44 know if anyone from Mallinckrodt sales team 19:49:47 was supposed to report signs of diversion to 19:49:52 you? 19:49:58  A. We spoke before about the NAMs, 19:49:58 the narcotic national account managers. 19:50:00  Q. Yes, ma'am. 19:50:02  A. We asked them to be our 19:50:03 observers, and if they saw anything at any of 19:50:05
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	okay. 19:47:37 Q. Okay. As long as I understand 19:47:37 your answer. 19:47:40 A. Yeah. 19:47:41 Q. Okay. And so on do you know 19:47:41 on if when you looked at those top 19:47:44 prescriber lists, did you review those at all 19:47:47 from a suspicious order monitoring 19:47:51 perspective? 19:47:53 A. Yes. 19:47:54 Q. Okay. And what did you do for 19:47:56 that? 19:47:58 A. So that is when, in the 19:47:58 circumstance we spoke about before, if we 19:48:01 were reviewing a downstream registrant and 19:48:04 their due diligence with a particular 19:48:10 pharmacy, if the distributor's file contained 19:48:12 information about the top prescribers at 19:48:18	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	the top prescriber list we had within the country, we would have a detailed 19:49:32 conversation with the distributor about the 19:49:34 fact that that prescriber appeared on the 19:49:37 list. 19:49:40  Q. So that they were a top 19:49:40 prescriber? 19:49:43  A. Yes. 19:49:43  Q. Okay. Okay. And so do you 19:49:44 know if anyone from Mallinckrodt sales team 19:49:47 was supposed to report signs of diversion to 19:49:52 you? 19:49:58  A. We spoke before about the NAMs, 19:49:58 the narcotic national account managers. 19:50:00  Q. Yes, ma'am. 19:50:02  A. We asked them to be our 19:50:03 observers, and if they saw anything at any of 19:50:10

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	Page 530		Page 532
1	same for the sales team on the branded side? 19:50:15	1	Have you seen this list before? 19:53:54
2	A. Not to my knowledge. 19:50:18	2	A. No. 19:53:55
3	Q. Okay. Do you know if there was 19:50:21	3	Q. Okay. Do you know of any list 19:53:56
4	any sort of suspicious order monitoring 19:50:23	4	that was kept of pill mill physicians? 19:53:59
5	training for the sales team on the branded 19:50:25	5	A. No. 19:54:04
6	side? 19:50:27	6	Q. Okay. Do you know what DIRJ 19:54:05
7	A. I'm not certain. 19:50:27	7	stands for? 19:54:08
8	Q. Okay. Do you know if you had a 19:50:28	8	A. No. 19:54:08
9	counterpart, a suspicious order person, on 19:50:30	9	Q. Okay. Do you have any idea who 19:54:08
10	the branded side? 19:50:35	10	I might ask about this document? 19:54:28
11	A. Did not. 19:50:36	11	A. Perhaps someone on the branded 19:54:30
12	Q. Okay. 19:50:37	12	side. 19:54:32
13	THE WITNESS: I have a I'm 19:50:40	13	Q. Okay. You suspect this has 19:54:33
14	looking at the questioner's mouth a 19:50:42	14	something to do with branded, perhaps? 19:54:34
15	lot, and this thing's in my way. Can 19:50:46	15	A. I suspect that, yes. 19:54:36
16	we scoot it or something? I'm sorry. 19:50:49	16	Q. Okay. Very good then. 19:54:37
17	It's just helping me understand the 19:50:51	17	A. Okay. 19:54:39
18	question. 19:50:53	18	Q. Set it aside. 19:54:39
19	MS. HERZFELD: That was very 19:50:54	19	Oh, you know what? Actually if 19:54:48
20	thoughtful. Thank you. 19:50:58	20	you'll take it back for one second, it looks 19:54:49
21	THE WITNESS: Okay. 19:50:59	21	like they stapled it all together again. I 19:54:51
22	QUESTIONS BY MS. HERZFELD: 19:50:59	22	don't think we have to put it as a separate 19:54:53
23	Q. Did Mallinckrodt have a program 19:51:16	23	exhibit. 19:54:54
24	or procedure in place to connect problem 19:51:18	24	A. So are we still on 41? Is that 19:54:54
25	prescribers and problem pharmacies? 19:51:20	25	correct? 19:54:56
	Page 531		Page 533
1	MR. O'CONNOR: Objection to 19:51:22	1	Q. We are. 19:54:57
2	form. 19:51:23	2	If you'll look at the very last 19:54:58
3	THE WITNESS: Only to the 19:51:23	3	page for me, if you flip it over one, I'll 19:54:59
4	extent I previously described. If we 19:51:28	4	represent to you that this list here is the 19:55:03
5	were talking to a distributor about 19:51:30	5	same list but sorted by Tennessee. It's got 19:55:04
6	their downstream sales, sales to a 19:51:33	6	the same Bates number. 19:55:07
7	downstream registrant, and if their 19:51:34	7	Do any looking at that, do 19:55:09
8	due diligence, the distributor's due 19:51:36	8	any of those names ring a bell to you for any 19:55:13
9	diligence, files contained a list of 19:51:38	9	suspected pill mill operations in Tennessee? 19:55:18
10	top prescribers, we would reference 19:51:39	10	A. No. 19:55:20
11	that against our listing of top 19:51:40	11	Q. Okay. That was my last 19:55:22
12	prescribers within the country. 19:51:43	12	question. Thank you, ma'am. 19:55:22
13	(Mallinckrodt-Harper Exhibit 41 19:52:32	13	(Mallinckrodt-Harper Exhibit 42 19:55:28
14	marked for identification.) 19:52:34	14	marked for identification.) 19:55:30
15		15	QUESTIONS BY MS. HERZFELD: 19:55:30
	QUESTIONS BY MS. HERZFELD: 19:52:34		
16	Q. Okay. I'm going to mark this 19:52:34	16	Q. Okay. Mark this next one as 19:55:30
16 17	Q. Okay. I'm going to mark this 19:52:34 next one as Exhibit 41. And this is 19:52:35		Exhibit 42. It is MNK-T1_00005947296. 19:55:41
	Q. Okay. I'm going to mark this 19:52:34 next one as Exhibit 41. And this is 19:52:35 MNK-T1_0007704503. I'm sorry, it's stapled 19:52:39	16	Exhibit 42. It is MNK-T1_00005947296. 19:55:41  Okay. The file name is "IMS 19:56:02
17	Q. Okay. I'm going to mark this 19:52:34 next one as Exhibit 41. And this is 19:52:35 MNK-T1_0007704503. I'm sorry, it's stapled 19:52:39 on the bottom. 19:52:47	16 17	Exhibit 42. It is MNK-T1_00005947296. 19:55:41  Okay. The file name is "IMS 19:56:02  high oxy 30 prescribers in January 2013." I 19:56:06
17 18	Q. Okay. I'm going to mark this 19:52:34  next one as Exhibit 41. And this is 19:52:35  MNK-T1_0007704503. I'm sorry, it's stapled 19:52:39  on the bottom. 19:52:47  Take a minute to take a look at 19:53:27	16 17 18	Exhibit 42. It is MNK-T1_00005947296. 19:55:41 Okay. The file name is "IMS 19:56:02 high oxy 30 prescribers in January 2013." I 19:56:06 will represent to you that we have modified 19:56:11
17 18 19	Q. Okay. I'm going to mark this 19:52:34 next one as Exhibit 41. And this is 19:52:35 MNK-T1_0007704503. I'm sorry, it's stapled 19:52:39 on the bottom. 19:52:47 Take a minute to take a look at 19:53:27 this list. I'll represent to you that the 19:53:31	16 17 18 19	Exhibit 42. It is MNK-T1_00005947296. 19:55:41 Okay. The file name is "IMS 19:56:02 high oxy 30 prescribers in January 2013." I 19:56:06 will represent to you that we have modified 19:56:11 this list to sort it just by Tennessee. We 19:56:12
17 18 19 20 21 22	Q. Okay. I'm going to mark this 19:52:34 next one as Exhibit 41. And this is 19:52:35 MNK-T1_0007704503. I'm sorry, it's stapled 19:52:39 on the bottom. 19:52:47 Take a minute to take a look at 19:53:27 this list. I'll represent to you that the 19:53:31 path it says is the file name is DIRJ and 19:53:33	16 17 18 19 20 21 22	Exhibit 42. It is MNK-T1_00005947296. 19:55:41 Okay. The file name is "IMS 19:56:02 high oxy 30 prescribers in January 2013." I 19:56:06 will represent to you that we have modified 19:56:11 this list to sort it just by Tennessee. We 19:56:12 haven't changed the contents of it at all. 19:56:17
17 18 19 20 21 22 23	Q. Okay. I'm going to mark this 19:52:34 next one as Exhibit 41. And this is 19:52:35 MNK-T1_0007704503. I'm sorry, it's stapled 19:52:39 on the bottom. 19:52:47 Take a minute to take a look at 19:53:27 this list. I'll represent to you that the 19:53:31 path it says is the file name is DIRJ and 19:53:33 pill mill physicians list, 2012, something. 19:53:36	16 17 18 19 20 21 22 23	Exhibit 42. It is MNK-T1_00005947296. 19:55:41 Okay. The file name is "IMS 19:56:02 high oxy 30 prescribers in January 2013." I 19:56:06 will represent to you that we have modified 19:56:11 this list to sort it just by Tennessee. We 19:56:12 haven't changed the contents of it at all. 19:56:17 Do you recognize this list, 19:56:20
17 18 19 20 21 22 23 24	Q. Okay. I'm going to mark this 19:52:34 next one as Exhibit 41. And this is 19:52:35 MNK-T1_0007704503. I'm sorry, it's stapled 19:52:39 on the bottom. 19:52:47 Take a minute to take a look at 19:53:27 this list. I'll represent to you that the 19:53:31 path it says is the file name is DIRJ and 19:53:33 pill mill physicians list, 2012, something. 19:53:36 It looks like the date it was last modified 19:53:49	16 17 18 19 20 21 22 23 24	Exhibit 42. It is MNK-T1_00005947296. 19:55:41 Okay. The file name is "IMS 19:56:02 high oxy 30 prescribers in January 2013." I 19:56:06 will represent to you that we have modified 19:56:11 this list to sort it just by Tennessee. We 19:56:12 haven't changed the contents of it at all. 19:56:17 Do you recognize this list, 19:56:20 ma'am? 19:56:21
17 18 19 20 21 22 23	Q. Okay. I'm going to mark this 19:52:34 next one as Exhibit 41. And this is 19:52:35 MNK-T1_0007704503. I'm sorry, it's stapled 19:52:39 on the bottom. 19:52:47 Take a minute to take a look at 19:53:27 this list. I'll represent to you that the 19:53:31 path it says is the file name is DIRJ and 19:53:33 pill mill physicians list, 2012, something. 19:53:36	16 17 18 19 20 21 22 23	Exhibit 42. It is MNK-T1_00005947296. 19:55:41 Okay. The file name is "IMS 19:56:02 high oxy 30 prescribers in January 2013." I 19:56:06 will represent to you that we have modified 19:56:11 this list to sort it just by Tennessee. We 19:56:12 haven't changed the contents of it at all. 19:56:17 Do you recognize this list, 19:56:20

	Page 534		Page 536
1	Q. Is this the IMS data you were 19:56:24	1	"Prescriber list." The date last modified is 19:59:23
2	talking about earlier, perhaps, looking for 19:56:26		2/1/2016 on the network share. 19:59:27
3	physicians? 19:56:29	3	Have you seen this list before? 19:59:31
4	MR. O'CONNOR: Objection to 19:56:33	4	A. No. 19:59:32
5	form. 19:56:33	5	Q. Do you have any idea what it 19:59:33
6	THE WITNESS: It states IMS 19:56:33	6	is? 19:59:34
7	data, yes, so, yes. 19:56:34	7	A. No. 19:59:34
8	QUESTIONS BY MS. HERZFELD: 19:56:37	8	Q. Okay. Do you know if it has to 19:59:35
9	Q. Okay. Have you seen a chart 19:56:37	9	do with suspicious order monitoring? 19:59:39
10	like this that you've consulted before? 19:56:39	10	A. No. 19:59:43
11	A. Perhaps. 19:56:41	11	Q. Okay. I'm going to note here 19:59:43
12	Q. Okay. Do you know if you did, 19:56:47	12	on the page let's start with page 3, all 20:00:01
13	if it would have been on the branded side or 19:56:49	1	the way at the back. 20:00:05
14	the generic side? 19:56:51	14	The very top it says, "Alan 20:00:07
15	MR. O'CONNOR: Objection to 19:56:52	15	Pecorella," and the comments are "arrested on 20:00:11
16	form. 19:56:53		8/23/13 on charge of possession of a 20:00:13
17	THE WITNESS: This would have 19:56:53		Schedule II with intent to distribute. 20:00:16
18	been the list of potentially the 19:56:56		State, Tennessee. On target list, Q2013. 20:00:21
19	list of high prescribers that we were 19:57:01	1	Specialty physician assistant." 20:00:25
20	cross-referencing. However, I don't 19:57:04	20	Do you see where that's at? 20:00:27
21	recall that the list was this large or 19:57:07	21	A. Yes. 20:00:28
22	this long. 19:57:09	22	Q. Okay. And if you keep going 20:00:31
23	QUESTIONS BY MS. HERZFELD: 19:57:09	23	through a bunch of these, it has various 20:00:33
24	Q. Okay. So okay. Very good. 19:57:10	1	criminal descriptions here. 20:00:37
25	Moving along. 19:57:17	25	You didn't create this? 20:00:42
	Page 535		Page 537
1	(Mallinckrodt-Harper Exhibit 43 19:57:18	1	A. No. 20:00:42
2	marked for identification.) 19:57:19	2	Q. Did you have someone on your 20:00:43
2 3	marked for identification.) 19:57:19 QUESTIONS BY MS. HERZFELD: 19:57:19	2 3	Q. Did you have someone on your 20:00:43 team create it? 20:00:44
2 3 4	marked for identification.) 19:57:19  QUESTIONS BY MS. HERZFELD: 19:57:19  Q. Next one is Exhibit 43, 19:57:22	2 3 4	Q. Did you have someone on your 20:00:43 team create it? 20:00:44  A. No. 20:00:45
2 3 4 5	marked for identification.)       19:57:19         QUESTIONS BY MS. HERZFELD:       19:57:19         Q.       Next one is Exhibit 43,       19:57:22         MNK-T1_0007704471. And the title on this is       19:57:29	2 3 4 5	Q. Did you have someone on your 20:00:43 team create it? 20:00:44 A. No. 20:00:45 Q. Okay. You can set that aside. 20:00:47
2 3 4 5 6	marked for identification.)       19:57:19         QUESTIONS BY MS. HERZFELD:       19:57:19         Q.       Next one is Exhibit 43,       19:57:22         MNK-T1_0007704471. And the title on this is 19:57:29         "IMS prescribers through January 2013," and 19:57:47	2 3 4 5 6	Q. Did you have someone on your 20:00:43 team create it? 20:00:44 A. No. 20:00:45 Q. Okay. You can set that aside. 20:00:47 (Mallinckrodt-Harper Exhibit 45 20:01:11
2 3 4 5 6 7	marked for identification.) 19:57:19  QUESTIONS BY MS. HERZFELD: 19:57:19  Q. Next one is Exhibit 43, 19:57:22  MNK-T1_0007704471. And the title on this is 19:57:29  "IMS prescribers through January 2013," and 19:57:47 we have modified it just to show Tennessee. 19:57:51	2 3 4 5 6 7	Q. Did you have someone on your 20:00:43 team create it? 20:00:44 A. No. 20:00:45 Q. Okay. You can set that aside. 20:00:47 (Mallinckrodt-Harper Exhibit 45 20:01:11 marked for identification.) 20:01:12
2 3 4 5 6 7 8	marked for identification.) 19:57:19  QUESTIONS BY MS. HERZFELD: 19:57:19  Q. Next one is Exhibit 43, 19:57:22  MNK-T1_0007704471. And the title on this is 19:57:29  "IMS prescribers through January 2013," and 19:57:47  we have modified it just to show Tennessee. 19:57:51  Have you seen a chart like this 19:57:55	2 3 4 5 6 7 8	Q. Did you have someone on your 20:00:43 team create it? 20:00:44 A. No. 20:00:45 Q. Okay. You can set that aside. 20:00:47 (Mallinckrodt-Harper Exhibit 45 20:01:11 marked for identification.) 20:01:12 QUESTIONS BY MS. HERZFELD: 20:01:12
2 3 4 5 6 7 8	marked for identification.) 19:57:19  QUESTIONS BY MS. HERZFELD: 19:57:19  Q. Next one is Exhibit 43, 19:57:22  MNK-T1_0007704471. And the title on this is 19:57:29  "IMS prescribers through January 2013," and 19:57:47  we have modified it just to show Tennessee. 19:57:51  Have you seen a chart like this 19:57:55  before, ma'am? 19:58:20	2 3 4 5 6 7 8	Q. Did you have someone on your 20:00:43 team create it? 20:00:44 A. No. 20:00:45 Q. Okay. You can set that aside. 20:00:47 (Mallinckrodt-Harper Exhibit 45 20:01:11 marked for identification.) 20:01:12 QUESTIONS BY MS. HERZFELD: 20:01:12 Q. Okay. Just a couple more. 20:01:13
2 3 4 5 6 7 8 9	marked for identification.) 19:57:19  QUESTIONS BY MS. HERZFELD: 19:57:19  Q. Next one is Exhibit 43, 19:57:22  MNK-T1_0007704471. And the title on this is 19:57:29  "IMS prescribers through January 2013," and 19:57:47  we have modified it just to show Tennessee. 19:57:51  Have you seen a chart like this 19:57:55  before, ma'am? 19:58:20  A. A similar chart with the high 19:58:21	2 3 4 5 6 7 8 9	Q. Did you have someone on your 20:00:43 team create it? 20:00:44 A. No. 20:00:45 Q. Okay. You can set that aside. 20:00:47 (Mallinckrodt-Harper Exhibit 45 20:01:11 marked for identification.) 20:01:12 QUESTIONS BY MS. HERZFELD: 20:01:12 Q. Okay. Just a couple more. 20:01:13 Okay. I'm going to hand you what we've 20:01:22
2 3 4 5 6 7 8 9 10	marked for identification.) 19:57:19  QUESTIONS BY MS. HERZFELD: 19:57:19  Q. Next one is Exhibit 43, 19:57:22  MNK-T1_0007704471. And the title on this is 19:57:29  "IMS prescribers through January 2013," and 19:57:47  we have modified it just to show Tennessee. 19:57:51  Have you seen a chart like this 19:57:55  before, ma'am? 19:58:20  A. A similar chart with the high 19:58:21  prescribers throughout the country is all I 19:58:27	2 3 4 5 6 7 8 9 10	Q. Did you have someone on your 20:00:43 team create it? 20:00:44 A. No. 20:00:45 Q. Okay. You can set that aside. 20:00:47 (Mallinckrodt-Harper Exhibit 45 20:01:11 marked for identification.) 20:01:12 QUESTIONS BY MS. HERZFELD: 20:01:13 Okay. I'm going to hand you what we've 20:01:22 marked as Plaintiff's Exhibit 45, 20:01:24
2 3 4 5 6 7 8 9 10 11	marked for identification.) 19:57:19  QUESTIONS BY MS. HERZFELD: 19:57:19  Q. Next one is Exhibit 43, 19:57:22  MNK-T1_0007704471. And the title on this is 19:57:29  "IMS prescribers through January 2013," and 19:57:47  we have modified it just to show Tennessee. 19:57:51  Have you seen a chart like this 19:57:55  before, ma'am? 19:58:20  A. A similar chart with the high 19:58:21  prescribers throughout the country is all I 19:58:27  recall seeing. 19:58:31	2 3 4 5 6 7 8 9 10 11	Q. Did you have someone on your 20:00:43 team create it? 20:00:44 A. No. 20:00:45 Q. Okay. You can set that aside. 20:00:47 (Mallinckrodt-Harper Exhibit 45 20:01:11 marked for identification.) 20:01:12 QUESTIONS BY MS. HERZFELD: 20:01:12 Q. Okay. Just a couple more. 20:01:13 Okay. I'm going to hand you what we've 20:01:22 marked as Plaintiff's Exhibit 45, 20:01:24 MNK_TNSTA02527616. And take a look at that 20:01:35
2 3 4 5 6 7 8 9 10 11 12 13	marked for identification.) 19:57:19  QUESTIONS BY MS. HERZFELD: 19:57:19  Q. Next one is Exhibit 43, 19:57:22  MNK-T1_0007704471. And the title on this is 19:57:29  "IMS prescribers through January 2013," and 19:57:47  we have modified it just to show Tennessee. 19:57:51  Have you seen a chart like this 19:57:55  before, ma'am? 19:58:20  A. A similar chart with the high 19:58:21  prescribers throughout the country is all I 19:58:27  recall seeing. 19:58:31  Q. Okay. Okay. And if 19:58:32	2 3 4 5 6 7 8 9 10 11 12	Q. Did you have someone on your 20:00:43 team create it? 20:00:44 A. No. 20:00:45 Q. Okay. You can set that aside. 20:00:47 (Mallinckrodt-Harper Exhibit 45 20:01:11 marked for identification.) 20:01:12 QUESTIONS BY MS. HERZFELD: 20:01:13 Q. Okay. Just a couple more. 20:01:13 Okay. I'm going to hand you what we've 20:01:22 marked as Plaintiff's Exhibit 45, 20:01:24 MNK_TNSTA02527616. And take a look at that 20:01:35 for me, please. 20:01:38
2 3 4 5 6 7 8 9 10 11 12 13	marked for identification.) 19:57:19  QUESTIONS BY MS. HERZFELD: 19:57:19  Q. Next one is Exhibit 43, 19:57:22  MNK-T1_0007704471. And the title on this is 19:57:29  "IMS prescribers through January 2013," and 19:57:47  we have modified it just to show Tennessee. 19:57:51  Have you seen a chart like this 19:57:55  before, ma'am? 19:58:20  A. A similar chart with the high 19:58:21  prescribers throughout the country is all I 19:58:27  recall seeing. 19:58:31  Q. Okay. Okay. And if 19:58:32  something's in the network share drive, does 19:58:39	2 3 4 5 6 7 8 9 10 11 12 13	Q. Did you have someone on your 20:00:43 team create it? 20:00:44 A. No. 20:00:45 Q. Okay. You can set that aside. 20:00:47 (Mallinckrodt-Harper Exhibit 45 20:01:11 marked for identification.) 20:01:12 QUESTIONS BY MS. HERZFELD: 20:01:13 Okay. I'm going to hand you what we've 20:01:22 marked as Plaintiff's Exhibit 45, 20:01:24 MNK_TNSTA02527616. And take a look at that 20:01:35 for me, please. 20:01:38 I will submit to you that we 20:01:44
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	marked for identification.) 19:57:19  QUESTIONS BY MS. HERZFELD: 19:57:19  Q. Next one is Exhibit 43, 19:57:22  MNK-T1_0007704471. And the title on this is 19:57:29  "IMS prescribers through January 2013," and 19:57:47  we have modified it just to show Tennessee. 19:57:51  Have you seen a chart like this 19:57:55  before, ma'am? 19:58:20  A. A similar chart with the high 19:58:21  prescribers throughout the country is all I 19:58:27  recall seeing. 19:58:31  Q. Okay. Okay. And if 19:58:32  something's in the network share drive, does 19:58:39  that mean it's open to everybody within the 19:58:42  suspicious order monitoring team to view? 19:58:44  A. Yes. 19:58:46  Q. Okay. So you would have had 19:58:48  access to anything on the share drive? 19:58:49  A. Yes. 19:58:52  (Mallinckrodt-Harper Exhibit 44 19:58:57  marked for identification.) 19:58:57	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Did you have someone on your 20:00:43 team create it? 20:00:44 A. No. 20:00:45 Q. Okay. You can set that aside. 20:00:47 (Mallinckrodt-Harper Exhibit 45 20:01:11 marked for identification.) 20:01:12 QUESTIONS BY MS. HERZFELD: 20:01:13 Okay. I'm going to hand you what we've 20:01:22 marked as Plaintiff's Exhibit 45, 20:01:24 MNK_TNSTA02527616. And take a look at that 20:01:35 for me, please. 20:01:38 I will submit to you that we 20:01:44 took the information provided to us and 20:01:45 sorted by state, so it's Tennessee only. 20:01:47 Okay. And the title of this 20:02:02 document is "oxy 15," and then we'll do 30, 20:02:04 "sold via by month January through 20:02:08 December 2011." Run the run, I am 20:02:11 guessing, is report run, 2/15/2012. 20:02:13 Do you see that? 20:02:17
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	Page 538	Page 540  1 O. Okay. Thank you. Okay. 20:04:19
1	questions, but we've sorted it by Tennessee. 20:02:25	
2	So if you will go with me to the very last 20:02:29	2 Moving along. 20:04:22
3	page. 20:02:42	3 (Mallinckrodt-Harper Exhibit 46 20:04:23
4	A. Page 17? 20:02:42	4 marked for identification.) 20:04:23
5	Q. Page 17, yes, ma'am. 20:02:43	5 QUESTIONS BY MS. HERZFELD: 20:04:23
6	A. All right. 20:02:43	6 Q. Okay. It's a different tab of 20:04:28
7	Q. All the way down to the very 20:02:45	7 the same Bates number, MNK_TNSTA02527616. 20:04:29
8	bottom line that's open, sorting it by state 20:02:46	8 Okay. Same chart but for the tab for 20:04:43
9	and then totaling the totals for 12 months, 20:02:49	9 oxy 30. We've modified this just to 20:04:48
10	can you please read that number in the 20:02:52	10 Tennessee. 20:04:50
11	corner? 20:02:54	11 And if you'll flip with me to 20:04:51
12	A. 4,071,300. 20:02:54	12 the very last page, if you could read the 20:04:55
13	Q. Okay. And do you know if those 20:03:00	13 total for me there, ma'am. 20:05:00
14	are sales of pills or bottles? 20:03:05	14 A. 12,482,100. 20:05:02
15	A. These appear to be chargeback 20:03:12	15 Q. Okay. So same question on 20:05:16
16	reports 20:03:19	16 for this chargeback sheet for I want to 20:05:20
17	Q. Yes, ma'am. 20:03:19	17 make sure I understand it. 20:05:28
18	A and it would have been 20:03:19	18 So that's 12,482,100 pills of 20:05:29
19	dosage units. 20:03:20	19 oxy 30 that were sent to Tennessee, January 20:05:34
20	Q. Dosage units? 20:03:21	20 through December 2011, according to the 20:05:38
21	A. Yes. 20:03:22	21 chargeback data; is that correct, ma'am? 20:05:41
22	Q. Okay. And what is a dosage 20:03:23	22 A. Yes. 20:05:42
23	units? 20:03:24	Q. Okay. Thank you very much. 20:05:43
24	A. A pill. 20:03:24	24 You can set that aside. 20:05:45
25	Q. Okay. 20:03:24	Okay. So if you add those two 20:05:52
	•	
	Dogo 520	Page 541
	Page 539	
1	A. Or a tablet or a capsule, yes. 20:03:26	1 numbers I'll submit that the total, so you 20:05:54
1 2	A. Or a tablet or a capsule, yes. 20:03:26 Q. Okay. So when we take the 20:03:29	1 numbers I'll submit that the total, so you 20:05:54 2 don't have to do the math, is 16,553,400 20:05:56
	A. Or a tablet or a capsule, yes. 20:03:26 Q. Okay. So when we take the 20:03:29 total number here, 4,071,300, that would be 20:03:30	1 numbers I'll submit that the total, so you 20:05:54 2 don't have to do the math, is 16,553,400 20:05:56 3 Mallinckrodt oxy 15 and 30-milligram pills 20:06:00
2 3 4	A. Or a tablet or a capsule, yes. 20:03:26 Q. Okay. So when we take the 20:03:29 total number here, 4,071,300, that would be 20:03:30 pills of oxy 15 shipped to Tennessee, January 20:03:36	1 numbers I'll submit that the total, so you 20:05:54 2 don't have to do the math, is 16,553,400 20:05:56 3 Mallinckrodt oxy 15 and 30-milligram pills 20:06:00 4 that ended up in Tennessee in one year. 20:06:02
2 3 4 5	A. Or a tablet or a capsule, yes. 20:03:26 Q. Okay. So when we take the 20:03:29 total number here, 4,071,300, that would be 20:03:30 pills of oxy 15 shipped to Tennessee, January 20:03:36 through December 2011; is that right? 20:03:41	1 numbers I'll submit that the total, so you 20:05:54 2 don't have to do the math, is 16,553,400 20:05:56 3 Mallinckrodt oxy 15 and 30-milligram pills 20:06:00 4 that ended up in Tennessee in one year. 20:06:02 5 Does that sound correct? 20:06:08
2 3 4	A. Or a tablet or a capsule, yes. 20:03:26 Q. Okay. So when we take the 20:03:29 total number here, 4,071,300, that would be 20:03:30 pills of oxy 15 shipped to Tennessee, January 20:03:36 through December 2011; is that right? 20:03:41 A. So the front of the chart says 20:03:43	1 numbers I'll submit that the total, so you 20:05:54 2 don't have to do the math, is 16,553,400 20:05:56 3 Mallinckrodt oxy 15 and 30-milligram pills 20:06:00 4 that ended up in Tennessee in one year. 20:06:02 5 Does that sound correct? 20:06:08 6 MR. O'CONNOR: Objection to 20:06:09
2 3 4 5	A. Or a tablet or a capsule, yes. 20:03:26 Q. Okay. So when we take the 20:03:29 total number here, 4,071,300, that would be 20:03:30 pills of oxy 15 shipped to Tennessee, January 20:03:36 through December 2011; is that right? 20:03:41 A. So the front of the chart says 20:03:43 "oxy 15s and 30s." 20:03:51	1       numbers I'll submit that the total, so you       20:05:54         2       don't have to do the math, is 16,553,400       20:05:56         3       Mallinckrodt oxy 15 and 30-milligram pills       20:06:00         4       that ended up in Tennessee in one year.       20:06:02         5       Does that sound correct?       20:06:08         6       MR. O'CONNOR: Objection to       20:06:09         7       form.       20:06:09
2 3 4 5 6	A. Or a tablet or a capsule, yes. 20:03:26 Q. Okay. So when we take the 20:03:29 total number here, 4,071,300, that would be 20:03:30 pills of oxy 15 shipped to Tennessee, January 20:03:36 through December 2011; is that right? 20:03:41 A. So the front of the chart says 20:03:43	1 numbers I'll submit that the total, so you 20:05:54 2 don't have to do the math, is 16,553,400 20:05:56 3 Mallinckrodt oxy 15 and 30-milligram pills 20:06:00 4 that ended up in Tennessee in one year. 20:06:02 5 Does that sound correct? 20:06:08 6 MR. O'CONNOR: Objection to 20:06:09
2 3 4 5 6 7	A. Or a tablet or a capsule, yes. 20:03:26 Q. Okay. So when we take the 20:03:29 total number here, 4,071,300, that would be 20:03:30 pills of oxy 15 shipped to Tennessee, January 20:03:36 through December 2011; is that right? 20:03:41 A. So the front of the chart says 20:03:43 "oxy 15s and 30s." 20:03:51 Q. Yes, ma'am. 20:03:53 A. And I just don't see it says 20:03:53	1 numbers I'll submit that the total, so you       20:05:54         2 don't have to do the math, is 16,553,400       20:05:56         3 Mallinckrodt oxy 15 and 30-milligram pills       20:06:00         4 that ended up in Tennessee in one year.       20:06:02         5 Does that sound correct?       20:06:08         6 MR. O'CONNOR: Objection to       20:06:09         7 form.       20:06:09         8 THE WITNESS: Yes, based upon       20:06:09         9 these reports you've shown me, yes.       20:06:10
2 3 4 5 6 7 8	A. Or a tablet or a capsule, yes. 20:03:26 Q. Okay. So when we take the 20:03:29 total number here, 4,071,300, that would be 20:03:30 pills of oxy 15 shipped to Tennessee, January 20:03:36 through December 2011; is that right? 20:03:41 A. So the front of the chart says 20:03:43 "oxy 15s and 30s." 20:03:51 Q. Yes, ma'am. 20:03:53 A. And I just don't see it says 20:03:53 it's on separate tabs, and I don't see 20:03:54	1       numbers I'll submit that the total, so you       20:05:54         2       don't have to do the math, is 16,553,400       20:05:56         3       Mallinckrodt oxy 15 and 30-milligram pills       20:06:00         4       that ended up in Tennessee in one year.       20:06:02         5       Does that sound correct?       20:06:08         6       MR. O'CONNOR: Objection to       20:06:09         7       form.       20:06:09         8       THE WITNESS: Yes, based upon       20:06:09         9       these reports you've shown me, yes.       20:06:10         10       QUESTIONS BY MS. HERZFELD:       20:06:12
2 3 4 5 6 7 8	A. Or a tablet or a capsule, yes. 20:03:26 Q. Okay. So when we take the 20:03:29 total number here, 4,071,300, that would be 20:03:30 pills of oxy 15 shipped to Tennessee, January 20:03:36 through December 2011; is that right? 20:03:41 A. So the front of the chart says 20:03:43 "oxy 15s and 30s." 20:03:51 Q. Yes, ma'am. 20:03:53 A. And I just don't see it says 20:03:54 it's on separate tabs, and I don't see 20:03:54 Q. Yeah. So this one is the sheet 20:03:54	1 numbers I'll submit that the total, so you       20:05:54         2 don't have to do the math, is 16,553,400       20:05:56         3 Mallinckrodt oxy 15 and 30-milligram pills       20:06:00         4 that ended up in Tennessee in one year.       20:06:02         5 Does that sound correct?       20:06:08         6 MR. O'CONNOR: Objection to       20:06:09         7 form.       20:06:09         8 THE WITNESS: Yes, based upon       20:06:09         9 these reports you've shown me, yes.       20:06:10         10 QUESTIONS BY MS. HERZFELD:       20:06:12         11 Q. Okay. And oxy 15 and oxy 30       20:06:12
2 3 4 5 6 7 8 9	A. Or a tablet or a capsule, yes. 20:03:26 Q. Okay. So when we take the 20:03:29 total number here, 4,071,300, that would be 20:03:30 pills of oxy 15 shipped to Tennessee, January 20:03:36 through December 2011; is that right? 20:03:41 A. So the front of the chart says 20:03:43 "oxy 15s and 30s." 20:03:51 Q. Yes, ma'am. 20:03:53 A. And I just don't see it says 20:03:53 it's on separate tabs, and I don't see 20:03:54 Q. Yeah. So this one is the sheet 20:03:56	1 numbers I'll submit that the total, so you       20:05:54         2 don't have to do the math, is 16,553,400       20:05:56         3 Mallinckrodt oxy 15 and 30-milligram pills       20:06:00         4 that ended up in Tennessee in one year.       20:06:02         5 Does that sound correct?       20:06:08         6 MR. O'CONNOR: Objection to       20:06:09         7 form.       20:06:09         8 THE WITNESS: Yes, based upon       20:06:09         9 these reports you've shown me, yes.       20:06:10         10 QUESTIONS BY MS. HERZFELD:       20:06:12         11 Q. Okay. And oxy 15 and oxy 30       20:06:12         12 are not the only oxycodone products that       20:06:16
2 3 4 5 6 7 8 9 10	A. Or a tablet or a capsule, yes. 20:03:26 Q. Okay. So when we take the 20:03:29 total number here, 4,071,300, that would be 20:03:30 pills of oxy 15 shipped to Tennessee, January 20:03:36 through December 2011; is that right? 20:03:41 A. So the front of the chart says 20:03:43 "oxy 15s and 30s." 20:03:51 Q. Yes, ma'am. 20:03:53 A. And I just don't see it says 20:03:53 it's on separate tabs, and I don't see 20:03:54 Q. Yeah. So this one is the sheet 20:03:54 for oxy 15, and I'm going to show you the 20:03:56 next one for oxy 30. 20:03:58	1 numbers I'll submit that the total, so you       20:05:54         2 don't have to do the math, is 16,553,400       20:05:56         3 Mallinckrodt oxy 15 and 30-milligram pills       20:06:00         4 that ended up in Tennessee in one year.       20:06:02         5 Does that sound correct?       20:06:08         6 MR. O'CONNOR: Objection to       20:06:09         7 form.       20:06:09         8 THE WITNESS: Yes, based upon       20:06:09         9 these reports you've shown me, yes.       20:06:10         10 QUESTIONS BY MS. HERZFELD:       20:06:12         11 Q. Okay. And oxy 15 and oxy 30       20:06:12
2 3 4 5 6 7 8 9 10 11	A. Or a tablet or a capsule, yes. 20:03:26 Q. Okay. So when we take the 20:03:29 total number here, 4,071,300, that would be 20:03:30 pills of oxy 15 shipped to Tennessee, January 20:03:36 through December 2011; is that right? 20:03:41 A. So the front of the chart says 20:03:43 "oxy 15s and 30s." 20:03:51 Q. Yes, ma'am. 20:03:53 A. And I just don't see it says 20:03:53 it's on separate tabs, and I don't see 20:03:54 Q. Yeah. So this one is the sheet 20:03:56	1 numbers I'll submit that the total, so you       20:05:54         2 don't have to do the math, is 16,553,400       20:05:56         3 Mallinckrodt oxy 15 and 30-milligram pills       20:06:00         4 that ended up in Tennessee in one year.       20:06:02         5 Does that sound correct?       20:06:08         6 MR. O'CONNOR: Objection to       20:06:09         7 form.       20:06:09         8 THE WITNESS: Yes, based upon       20:06:09         9 these reports you've shown me, yes.       20:06:10         10 QUESTIONS BY MS. HERZFELD:       20:06:12         11 Q. Okay. And oxy 15 and oxy 30       20:06:12         12 are not the only oxycodone products that       20:06:16
2 3 4 5 6 7 8 9 10 11 12 13	A. Or a tablet or a capsule, yes. 20:03:26 Q. Okay. So when we take the 20:03:29 total number here, 4,071,300, that would be 20:03:30 pills of oxy 15 shipped to Tennessee, January 20:03:36 through December 2011; is that right? 20:03:41 A. So the front of the chart says 20:03:43 "oxy 15s and 30s." 20:03:51 Q. Yes, ma'am. 20:03:53 A. And I just don't see it says 20:03:53 it's on separate tabs, and I don't see 20:03:54 Q. Yeah. So this one is the sheet 20:03:54 for oxy 15, and I'm going to show you the 20:03:56 next one for oxy 30. 20:03:58	1       numbers I'll submit that the total, so you       20:05:54         2       don't have to do the math, is 16,553,400       20:05:56         3       Mallinckrodt oxy 15 and 30-milligram pills       20:06:00         4       that ended up in Tennessee in one year.       20:06:02         5       Does that sound correct?       20:06:08         6       MR. O'CONNOR: Objection to       20:06:09         7       form.       20:06:09         8       THE WITNESS: Yes, based upon       20:06:09         9       these reports you've shown me, yes.       20:06:10         10       QUESTIONS BY MS. HERZFELD:       20:06:12         11       Q. Okay. And oxy 15 and oxy 30       20:06:12         12       are not the only oxycodone products that       20:06:16         13       Mallinckrodt manufactures; is that right?       20:06:18
2 3 4 5 6 7 8 9 10 11 12 13	A. Or a tablet or a capsule, yes. 20:03:26 Q. Okay. So when we take the 20:03:29 total number here, 4,071,300, that would be 20:03:30 pills of oxy 15 shipped to Tennessee, January 20:03:36 through December 2011; is that right? 20:03:41 A. So the front of the chart says 20:03:43 "oxy 15s and 30s." 20:03:51 Q. Yes, ma'am. 20:03:53 A. And I just don't see it says 20:03:53 it's on separate tabs, and I don't see 20:03:54 Q. Yeah. So this one is the sheet 20:03:54 for oxy 15, and I'm going to show you the 20:03:56 next one for oxy 30. 20:03:59	1       numbers I'll submit that the total, so you       20:05:54         2       don't have to do the math, is 16,553,400       20:05:56         3       Mallinckrodt oxy 15 and 30-milligram pills       20:06:00         4       that ended up in Tennessee in one year.       20:06:02         5       Does that sound correct?       20:06:08         6       MR. O'CONNOR: Objection to       20:06:09         7       form.       20:06:09         8       THE WITNESS: Yes, based upon       20:06:09         9       these reports you've shown me, yes.       20:06:10         10       QUESTIONS BY MS. HERZFELD:       20:06:12         11       Q. Okay. And oxy 15 and oxy 30       20:06:12         12       are not the only oxycodone products that       20:06:16         13       Mallinckrodt manufactures; is that right?       20:06:18         14       A. Yes.       20:06:20
2 3 4 5 6 7 8 9 10 11 12 13 14	A. Or a tablet or a capsule, yes. 20:03:26 Q. Okay. So when we take the 20:03:29 total number here, 4,071,300, that would be 20:03:30 pills of oxy 15 shipped to Tennessee, January 20:03:36 through December 2011; is that right? 20:03:41 A. So the front of the chart says 20:03:43 "oxy 15s and 30s." 20:03:51 Q. Yes, ma'am. 20:03:53 A. And I just don't see it says 20:03:53 it's on separate tabs, and I don't see 20:03:54 Q. Yeah. So this one is the sheet 20:03:54 for oxy 15, and I'm going to show you the 20:03:56 next one for oxy 30. 20:03:59 Q. Okay? 20:03:59	1       numbers I'll submit that the total, so you       20:05:54         2       don't have to do the math, is 16,553,400       20:05:56         3       Mallinckrodt oxy 15 and 30-milligram pills       20:06:00         4       that ended up in Tennessee in one year.       20:06:02         5       Does that sound correct?       20:06:08         6       MR. O'CONNOR: Objection to       20:06:09         7       form.       20:06:09         8       THE WITNESS: Yes, based upon       20:06:09         9       these reports you've shown me, yes.       20:06:10         10       QUESTIONS BY MS. HERZFELD:       20:06:12         11       Q. Okay. And oxy 15 and oxy 30       20:06:12         12       are not the only oxycodone products that       20:06:16         13       Mallinckrodt manufactures; is that right?       20:06:18         14       A. Yes.       20:06:20         15       Q. Okay. What other products are       20:06:21
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. Or a tablet or a capsule, yes. 20:03:26 Q. Okay. So when we take the 20:03:29 total number here, 4,071,300, that would be 20:03:30 pills of oxy 15 shipped to Tennessee, January 20:03:36 through December 2011; is that right? 20:03:41 A. So the front of the chart says 20:03:43 "oxy 15s and 30s." 20:03:51 Q. Yes, ma'am. 20:03:53 A. And I just don't see it says 20:03:53 it's on separate tabs, and I don't see 20:03:54 Q. Yeah. So this one is the sheet 20:03:54 for oxy 15, and I'm going to show you the 20:03:56 next one for oxy 30. 20:03:59 Q. Okay? 20:03:59 A. Got it. 20:04:00	1       numbers I'll submit that the total, so you       20:05:54         2       don't have to do the math, is 16,553,400       20:05:56         3       Mallinckrodt oxy 15 and 30-milligram pills       20:06:00         4       that ended up in Tennessee in one year.       20:06:02         5       Does that sound correct?       20:06:08         6       MR. O'CONNOR: Objection to       20:06:09         7       form.       20:06:09         8       THE WITNESS: Yes, based upon       20:06:09         9       these reports you've shown me, yes.       20:06:10         10       QUESTIONS BY MS. HERZFELD:       20:06:12         11       Q. Okay. And oxy 15 and oxy 30       20:06:12         12       are not the only oxycodone products that       20:06:16         13       Mallinckrodt manufactures; is that right?       20:06:18         14       A. Yes.       20:06:20         15       Q. Okay. What other products are       20:06:21         16       there?       20:06:22
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. Or a tablet or a capsule, yes. 20:03:26 Q. Okay. So when we take the 20:03:29 total number here, 4,071,300, that would be 20:03:30 pills of oxy 15 shipped to Tennessee, January 20:03:36 through December 2011; is that right? 20:03:41 A. So the front of the chart says 20:03:43 "oxy 15s and 30s." 20:03:51 Q. Yes, ma'am. 20:03:53 A. And I just don't see it says 20:03:53 it's on separate tabs, and I don't see 20:03:54 Q. Yeah. So this one is the sheet 20:03:54 for oxy 15, and I'm going to show you the 20:03:56 next one for oxy 30. 20:03:59 A. All right. 20:03:59 A. Got it. 20:04:00 Q. Okay. So I'm going to go back 20:04:00	1       numbers I'll submit that the total, so you       20:05:54         2       don't have to do the math, is 16,553,400       20:05:56         3       Mallinckrodt oxy 15 and 30-milligram pills       20:06:00         4       that ended up in Tennessee in one year.       20:06:02         5       Does that sound correct?       20:06:08         6       MR. O'CONNOR: Objection to       20:06:09         7       form.       20:06:09         8       THE WITNESS: Yes, based upon       20:06:09         9       these reports you've shown me, yes.       20:06:10         10       QUESTIONS BY MS. HERZFELD:       20:06:12         11       Q. Okay. And oxy 15 and oxy 30       20:06:12         12       are not the only oxycodone products that       20:06:16         13       Mallinckrodt manufactures; is that right?       20:06:18         14       A. Yes.       20:06:20         15       Q. Okay. What other products are       20:06:21         16       there?       20:06:22         17       A. There's oxycodone       20:06:23
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. Or a tablet or a capsule, yes. 20:03:26 Q. Okay. So when we take the 20:03:29 total number here, 4,071,300, that would be 20:03:30 pills of oxy 15 shipped to Tennessee, January 20:03:36 through December 2011; is that right? 20:03:41 A. So the front of the chart says 20:03:43 "oxy 15s and 30s." 20:03:51 Q. Yes, ma'am. 20:03:53 A. And I just don't see it says 20:03:53 it's on separate tabs, and I don't see 20:03:54 Q. Yeah. So this one is the sheet 20:03:54 for oxy 15, and I'm going to show you the 20:03:56 next one for oxy 30. 20:03:59 A. All right. 20:03:59 A. Got it. 20:04:00 Q. Okay. So I'm going to go back 20:04:00 and ask my question, just to make sure I 20:04:02	1 numbers I'll submit that the total, so you       20:05:54         2 don't have to do the math, is 16,553,400       20:05:56         3 Mallinckrodt oxy 15 and 30-milligram pills       20:06:00         4 that ended up in Tennessee in one year.       20:06:02         5 Does that sound correct?       20:06:08         6 MR. O'CONNOR: Objection to       20:06:09         7 form.       20:06:09         8 THE WITNESS: Yes, based upon       20:06:09         9 these reports you've shown me, yes.       20:06:10         10 QUESTIONS BY MS. HERZFELD:       20:06:12         11 Q. Okay. And oxy 15 and oxy 30       20:06:12         12 are not the only oxycodone products that       20:06:16         13 Mallinckrodt manufactures; is that right?       20:06:18         14 A. Yes.       20:06:20         15 Q. Okay. What other products are       20:06:21         16 there?       20:06:22         17 A. There's oxycodone       20:06:23         18 acetaminophen       20:06:25
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. Or a tablet or a capsule, yes. 20:03:26 Q. Okay. So when we take the 20:03:29 total number here, 4,071,300, that would be 20:03:30 pills of oxy 15 shipped to Tennessee, January 20:03:36 through December 2011; is that right? 20:03:41 A. So the front of the chart says 20:03:43 "oxy 15s and 30s." 20:03:51 Q. Yes, ma'am. 20:03:53 A. And I just don't see it says 20:03:53 it's on separate tabs, and I don't see 20:03:54 Q. Yeah. So this one is the sheet 20:03:54 for oxy 15, and I'm going to show you the 20:03:56 next one for oxy 30. 20:03:59 A. All right. 20:03:59 A. Got it. 20:04:00 Q. Okay. So I'm going to go back 20:04:00 and ask my question, just to make sure I 20:04:02 round that out. 20:04:04	1 numbers I'll submit that the total, so you       20:05:54         2 don't have to do the math, is 16,553,400       20:05:56         3 Mallinckrodt oxy 15 and 30-milligram pills       20:06:00         4 that ended up in Tennessee in one year.       20:06:02         5 Does that sound correct?       20:06:08         6 MR. O'CONNOR: Objection to       20:06:09         7 form.       20:06:09         8 THE WITNESS: Yes, based upon       20:06:09         9 these reports you've shown me, yes.       20:06:10         10 QUESTIONS BY MS. HERZFELD:       20:06:12         11 Q. Okay. And oxy 15 and oxy 30       20:06:12         12 are not the only oxycodone products that       20:06:16         13 Mallinckrodt manufactures; is that right?       20:06:18         14 A. Yes.       20:06:20         15 Q. Okay. What other products are       20:06:21         16 there?       20:06:22         17 A. There's oxycodone       20:06:23         18 acetaminophen       20:06:26         19 Q. Okay.       20:06:26
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. Or a tablet or a capsule, yes. 20:03:26 Q. Okay. So when we take the 20:03:29 total number here, 4,071,300, that would be 20:03:30 pills of oxy 15 shipped to Tennessee, January 20:03:36 through December 2011; is that right? 20:03:41 A. So the front of the chart says 20:03:43 "oxy 15s and 30s." 20:03:51 Q. Yes, ma'am. 20:03:53 A. And I just don't see it says 20:03:53 it's on separate tabs, and I don't see 20:03:54 Q. Yeah. So this one is the sheet 20:03:54 for oxy 15, and I'm going to show you the 20:03:56 next one for oxy 30. 20:03:59 A. All right. 20:03:59 A. Got it. 20:04:00 Q. Okay? 20:03:59 A. Got it. 20:04:00 and ask my question, just to make sure I 20:04:02 round that out. 20:04:04 So the total here, 4,071,300, 20:04:04	1 numbers I'll submit that the total, so you       20:05:54         2 don't have to do the math, is 16,553,400       20:05:56         3 Mallinckrodt oxy 15 and 30-milligram pills       20:06:00         4 that ended up in Tennessee in one year.       20:06:02         5 Does that sound correct?       20:06:08         6 MR. O'CONNOR: Objection to       20:06:09         7 form.       20:06:09         8 THE WITNESS: Yes, based upon       20:06:09         9 these reports you've shown me, yes.       20:06:10         10 QUESTIONS BY MS. HERZFELD:       20:06:12         11 Q. Okay. And oxy 15 and oxy 30       20:06:12         12 are not the only oxycodone products that       20:06:16         13 Mallinckrodt manufactures; is that right?       20:06:18         14 A. Yes.       20:06:20         15 Q. Okay. What other products are       20:06:21         16 there?       20:06:22         17 A. There's oxycodone       20:06:25         19 Q. Okay.       20:06:26         20 A tablets in various       20:06:26
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Or a tablet or a capsule, yes. 20:03:26 Q. Okay. So when we take the 20:03:29 total number here, 4,071,300, that would be 20:03:30 pills of oxy 15 shipped to Tennessee, January 20:03:36 through December 2011; is that right? 20:03:41 A. So the front of the chart says 20:03:43 "oxy 15s and 30s." 20:03:51 Q. Yes, ma'am. 20:03:53 A. And I just don't see it says 20:03:53 it's on separate tabs, and I don't see 20:03:54 Q. Yeah. So this one is the sheet 20:03:54 for oxy 15, and I'm going to show you the 20:03:56 next one for oxy 30. 20:03:59 A. All right. 20:03:59 A. Got it. 20:04:00 Q. Okay? 20:03:59 A. Got it. 20:04:00 and ask my question, just to make sure I 20:04:02 round that out. 20:04:04  So the total here, 4,071,300, 20:04:04 that would be the number of pills of oxy 15 20:04:08 shipped to Tennessee, January through 20:04:12	1 numbers I'll submit that the total, so you       20:05:54         2 don't have to do the math, is 16,553,400       20:05:56         3 Mallinckrodt oxy 15 and 30-milligram pills       20:06:00         4 that ended up in Tennessee in one year.       20:06:02         5 Does that sound correct?       20:06:08         6 MR. O'CONNOR: Objection to       20:06:09         7 form.       20:06:09         8 THE WITNESS: Yes, based upon       20:06:09         9 these reports you've shown me, yes.       20:06:10         10 QUESTIONS BY MS. HERZFELD:       20:06:12         11 Q. Okay. And oxy 15 and oxy 30       20:06:12         12 are not the only oxycodone products that       20:06:16         13 Mallinckrodt manufactures; is that right?       20:06:18         14 A. Yes.       20:06:20         15 Q. Okay. What other products are       20:06:21         16 there?       20:06:22         17 A. There's oxycodone       20:06:25         19 Q. Okay.       20:06:26         20 A tablets in various       20:06:26         21 strengths, but I don't know the list of       20:06:30
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Or a tablet or a capsule, yes. 20:03:26 Q. Okay. So when we take the 20:03:29 total number here, 4,071,300, that would be 20:03:30 pills of oxy 15 shipped to Tennessee, January 20:03:36 through December 2011; is that right? 20:03:41 A. So the front of the chart says 20:03:43 "oxy 15s and 30s." 20:03:51 Q. Yes, ma'am. 20:03:53 A. And I just don't see it says 20:03:53 it's on separate tabs, and I don't see 20:03:54 Q. Yeah. So this one is the sheet 20:03:54 for oxy 15, and I'm going to show you the 20:03:56 next one for oxy 30. 20:03:59 A. All right. 20:03:59 A. Got it. 20:04:00 Q. Okay? 20:03:59 A. Got it. 20:04:00 and ask my question, just to make sure I 20:04:02 round that out. 20:04:04  So the total here, 4,071,300, 20:04:04 that would be the number of pills of oxy 15 20:04:08 shipped to Tennessee, January through 20:04:16	1 numbers I'll submit that the total, so you       20:05:54         2 don't have to do the math, is 16,553,400       20:05:56         3 Mallinckrodt oxy 15 and 30-milligram pills       20:06:00         4 that ended up in Tennessee in one year.       20:06:02         5 Does that sound correct?       20:06:08         6 MR. O'CONNOR: Objection to       20:06:09         7 form.       20:06:09         8 THE WITNESS: Yes, based upon       20:06:09         9 these reports you've shown me, yes.       20:06:10         10 QUESTIONS BY MS. HERZFELD:       20:06:12         11 Q. Okay. And oxy 15 and oxy 30       20:06:12         12 are not the only oxycodone products that       20:06:16         13 Mallinckrodt manufactures; is that right?       20:06:18         14 A. Yes.       20:06:20         15 Q. Okay. What other products are       20:06:21         16 there?       20:06:22         17 A. There's oxycodone       20:06:25         19 Q. Okay.       20:06:26         20 A tablets in various       20:06:26         21 strengths, but I don't know the list of       20:06:30         22 strengths.       20:06:31
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Or a tablet or a capsule, yes. 20:03:26 Q. Okay. So when we take the 20:03:29 total number here, 4,071,300, that would be 20:03:30 pills of oxy 15 shipped to Tennessee, January 20:03:36 through December 2011; is that right? 20:03:41 A. So the front of the chart says 20:03:43 "oxy 15s and 30s." 20:03:51 Q. Yes, ma'am. 20:03:53 A. And I just don't see it says 20:03:53 it's on separate tabs, and I don't see 20:03:54 Q. Yeah. So this one is the sheet 20:03:54 for oxy 15, and I'm going to show you the 20:03:56 next one for oxy 30. 20:03:59 A. All right. 20:03:59 A. Got it. 20:04:00 Q. Okay? 20:03:59 A. Got it. 20:04:00 and ask my question, just to make sure I 20:04:02 round that out. 20:04:04  So the total here, 4,071,300, 20:04:04 that would be the number of pills of oxy 15 20:04:08 shipped to Tennessee, January through 20:04:12	1 numbers I'll submit that the total, so you       20:05:54         2 don't have to do the math, is 16,553,400       20:05:56         3 Mallinckrodt oxy 15 and 30-milligram pills       20:06:00         4 that ended up in Tennessee in one year.       20:06:02         5 Does that sound correct?       20:06:08         6 MR. O'CONNOR: Objection to       20:06:09         7 form.       20:06:09         8 THE WITNESS: Yes, based upon       20:06:09         9 these reports you've shown me, yes.       20:06:10         10 QUESTIONS BY MS. HERZFELD:       20:06:12         11 Q. Okay. And oxy 15 and oxy 30       20:06:12         12 are not the only oxycodone products that       20:06:12         13 Mallinckrodt manufactures; is that right?       20:06:18         14 A. Yes.       20:06:20         15 Q. Okay. What other products are       20:06:21         16 there?       20:06:22         17 A. There's oxycodone       20:06:23         18 acetaminophen       20:06:26         20 A tablets in various       20:06:26         21 strengths, but I don't know the list of       20:06:30         22 strengths.       20:06:31         23 Q. Okay. And other than the       20:06:32

	Page 542		Page 544
1	know any other opioid products that are 20:06:41	1	that in various strengths. 20:08:36
2	manufactured by Mallinckrodt? 20:06:42	2	Q. Uh-huh. 20:08:38
3	A. I can't be certain. Some of 20:06:44	3	A. Some of the products in our 20:08:40
4	the drug substances we distribute in an oral 20:06:47	4	line have 5 milligrams of hydrocodone, some 20:08:42
5	formulation 20:06:51	5	have 7 and a half milligrams of hydrocodone, 20:08:46
6	Q. Okay. 20:06:52	6	and in this case it's referencing 20:08:49
7	A but I don't know if 20:06:52	7	10 milligrams of hydrocodone 20:08:52
8	oxycodone is one of them. 20:06:52	8	Q. Okay. 20:08:53
9	Q. Okay. But so far as you know, 20:06:54	9	A per pill mixed or with 20:08:53
10	for oxycodone we've talked about what we 20:06:57	10	acetaminophen contained in the pill as well. 20:08:58
11	have? 20:06:59	11	Q. Okay. And when it says, "W 20:09:00
12	A. Yes. 20:06:59	12	DEA," is that with DEA? 20:09:03
13	Q. Okay. So for the oxycodone 20:06:59	13	Do you know what that means? 20:09:06
14	with acetaminophen, do you know if 20:07:01	14	A. Yes, that's correct. 20:09:06
15	spreadsheets like that, like we just looked 20:07:02	15	Q. What does that mean? 20:09:07
16	at, if those exist for the oxycodone with 20:07:04	16	A. With DEA registration. 20:09:07
17	acetaminophen? 20:07:07	17	Q. Oh, with DEA registration. 20:09:08
18	A. So the chargeback data exists 20:07:08	18	Okay. 20:09:10
19	for all products, but the ones we focus on 20:07:10	19	And is the reason that the 20:09:11
20	are the oxy 15s, the oxy 30s and the hydro 20:07:15	20	hydro APAP 10 S was monitored with reports 20:09:13
21	10s. 20:07:20	21	like this via chargeback data because it was 20:09:20
22	Q. Okay. So there wouldn't have 20:07:21	22	susceptible to diversion? 20:09:23
23	been a chargeback report necessarily 20:07:23	23	MR. O'CONNOR: Objection. 20:09:25
24	regularly run for oxycodone acetaminophen? 20:07:25	24	Form. 20:09:26
25	A. Correct. 20:07:27	25	THE WITNESS: We were told that 20:09:26
	Daga 542		Daga 545
1	Page 543	1	Page 545
1	Q. Okay. And you mentioned the 20:07:27	1	it was a drug of concern based upon 20:09:27
2	Q. Okay. And you mentioned the 20:07:27 hydrocodone I say hydrocodone; you say 20:07:32	2	it was a drug of concern based upon 20:09:27 DEA information, yes. 20:09:29
2 3	Q. Okay. And you mentioned the 20:07:27 hydrocodone I say hydrocodone; you say 20:07:32 hydrocodone. 20:07:34	2 3	it was a drug of concern based upon 20:09:27 DEA information, yes. 20:09:29 QUESTIONS BY MS. HERZFELD: 20:09:30
2 3 4	Q. Okay. And you mentioned the 20:07:27  hydrocodone I say hydrocodone; you say 20:07:32  hydrocodone. 20:07:34  A. That's all right. 20:07:35	2 3 4	it was a drug of concern based upon 20:09:27 DEA information, yes. 20:09:29 QUESTIONS BY MS. HERZFELD: 20:09:30 Q. Okay. Thank you. 20:09:31
2 3 4 5	Q. Okay. And you mentioned the 20:07:27  hydrocodone I say hydrocodone; you say 20:07:32  hydrocodone. 20:07:34  A. That's all right. 20:07:35  Q. I apologize for that. 20:07:35	2 3 4 5	it was a drug of concern based upon 20:09:27 DEA information, yes. 20:09:29 QUESTIONS BY MS. HERZFELD: 20:09:30 Q. Okay. Thank you. 20:09:31 Okay. So looking at this 20:09:33
2 3 4 5 6	Q. Okay. And you mentioned the 20:07:27 hydrocodone I say hydrocodone; you say 20:07:32 hydrocodone. 20:07:34  A. That's all right. 20:07:35 Q. I apologize for that. 20:07:35 You mentioned the hydrocodone 20:07:37	2 3 4 5 6	it was a drug of concern based upon 20:09:27  DEA information, yes. 20:09:29  QUESTIONS BY MS. HERZFELD: 20:09:30  Q. Okay. Thank you. 20:09:31  Okay. So looking at this 20:09:33  report, I want to make sure that I understand 20:09:35
2 3 4 5 6 7	Q. Okay. And you mentioned the 20:07:27  hydrocodone I say hydrocodone; you say 20:07:32  hydrocodone. 20:07:34  A. That's all right. 20:07:35  Q. I apologize for that. 20:07:35  You mentioned the hydrocodone 20:07:37  10-milligram, you ran chargeback datas for 20:07:39	2 3 4 5 6 7	it was a drug of concern based upon 20:09:27 DEA information, yes. 20:09:29  QUESTIONS BY MS. HERZFELD: 20:09:30 Q. Okay. Thank you. 20:09:31 Okay. So looking at this 20:09:33  report, I want to make sure that I understand 20:09:35 this correctly. And you've already answered 20:09:39
2 3 4 5 6 7 8	Q. Okay. And you mentioned the 20:07:27 hydrocodone I say hydrocodone; you say 20:07:32 hydrocodone. 20:07:34  A. That's all right. 20:07:35 Q. I apologize for that. 20:07:35 You mentioned the hydrocodone 20:07:37 10-milligram, you ran chargeback datas for 20:07:39 those two; is that correct? 20:07:41	2 3 4 5 6 7 8	it was a drug of concern based upon 20:09:27 DEA information, yes. 20:09:29  QUESTIONS BY MS. HERZFELD: 20:09:30 Q. Okay. Thank you. 20:09:31 Okay. So looking at this 20:09:33  report, I want to make sure that I understand 20:09:35 this correctly. And you've already answered 20:09:39 a lot of my questions, so that's great. 20:09:41
2 3 4 5 6 7 8	Q. Okay. And you mentioned the 20:07:27 hydrocodone I say hydrocodone; you say 20:07:32 hydrocodone. 20:07:34  A. That's all right. 20:07:35 Q. I apologize for that. 20:07:35 You mentioned the hydrocodone 20:07:37 10-milligram, you ran chargeback datas for 20:07:39 those two; is that correct? 20:07:41 A. Yes. 20:07:45	2 3 4 5 6 7 8	it was a drug of concern based upon 20:09:27 DEA information, yes. 20:09:29  QUESTIONS BY MS. HERZFELD: 20:09:30 Q. Okay. Thank you. 20:09:31 Okay. So looking at this 20:09:33  report, I want to make sure that I understand 20:09:35 this correctly. And you've already answered 20:09:39 a lot of my questions, so that's great. 20:09:41 Okay. If you'll go with the 20:09:43
2 3 4 5 6 7 8 9	Q. Okay. And you mentioned the 20:07:27 hydrocodone I say hydrocodone; you say 20:07:32 hydrocodone. 20:07:34  A. That's all right. 20:07:35 Q. I apologize for that. 20:07:35 You mentioned the hydrocodone 20:07:37 10-milligram, you ran chargeback datas for 20:07:39 those two; is that correct? 20:07:41 A. Yes. 20:07:45 (Mallinckrodt-Harper Exhibit 47 20:07:46	2 3 4 5 6 7 8 9	it was a drug of concern based upon 20:09:27 DEA information, yes. 20:09:29  QUESTIONS BY MS. HERZFELD: 20:09:30 Q. Okay. Thank you. 20:09:31 Okay. So looking at this 20:09:33  report, I want to make sure that I understand 20:09:35 this correctly. And you've already answered 20:09:39 a lot of my questions, so that's great. 20:09:41 Okay. If you'll go with the 20:09:43 total to this one on the very last page, that 20:09:45
2 3 4 5 6 7 8 9 10	Q. Okay. And you mentioned the 20:07:27 hydrocodone I say hydrocodone; you say 20:07:32 hydrocodone. 20:07:34  A. That's all right. 20:07:35 Q. I apologize for that. 20:07:35 You mentioned the hydrocodone 20:07:37 10-milligram, you ran chargeback datas for 20:07:39 those two; is that correct? 20:07:41 A. Yes. 20:07:45 (Mallinckrodt-Harper Exhibit 47 20:07:46 marked for identification.) 20:07:47	2 3 4 5 6 7 8 9 10	it was a drug of concern based upon 20:09:27 DEA information, yes. 20:09:29  QUESTIONS BY MS. HERZFELD: 20:09:30 Q. Okay. Thank you. 20:09:31 Okay. So looking at this 20:09:33 report, I want to make sure that I understand 20:09:35 this correctly. And you've already answered 20:09:39 a lot of my questions, so that's great. 20:09:41 Okay. If you'll go with the 20:09:43 total to this one on the very last page, that 20:09:45 total there reads is that could you 20:09:50
2 3 4 5 6 7 8 9 10 11	Q. Okay. And you mentioned the 20:07:27  hydrocodone I say hydrocodone; you say 20:07:32  hydrocodone. 20:07:34  A. That's all right. 20:07:35  Q. I apologize for that. 20:07:35  You mentioned the hydrocodone 20:07:37  10-milligram, you ran chargeback datas for 20:07:39  those two; is that correct? 20:07:41  A. Yes. 20:07:45  (Mallinckrodt-Harper Exhibit 47 20:07:46  marked for identification.) 20:07:47  QUESTIONS BY MS. HERZFELD: 20:07:47	2 3 4 5 6 7 8 9 10 11	it was a drug of concern based upon 20:09:27 DEA information, yes. 20:09:29  QUESTIONS BY MS. HERZFELD: 20:09:30 Q. Okay. Thank you. 20:09:31 Okay. So looking at this 20:09:33  report, I want to make sure that I understand 20:09:35 this correctly. And you've already answered 20:09:39 a lot of my questions, so that's great. 20:09:41 Okay. If you'll go with the 20:09:43 total to this one on the very last page, that 20:09:45 total there reads is that could you 20:09:50 read it for me, please? 20:09:53
2 3 4 5 6 7 8 9 10 11 12 13	Q. Okay. And you mentioned the 20:07:27  hydrocodone I say hydrocodone; you say 20:07:32  hydrocodone. 20:07:34  A. That's all right. 20:07:35  Q. I apologize for that. 20:07:35  You mentioned the hydrocodone 20:07:37  10-milligram, you ran chargeback datas for 20:07:39  those two; is that correct? 20:07:41  A. Yes. 20:07:45  (Mallinckrodt-Harper Exhibit 47 20:07:46  marked for identification.) 20:07:47  QUESTIONS BY MS. HERZFELD: 20:07:47  Q. Okay. I marked this one as 20:07:53	2 3 4 5 6 7 8 9 10 11 12 13	it was a drug of concern based upon 20:09:27 DEA information, yes. 20:09:29  QUESTIONS BY MS. HERZFELD: 20:09:30 Q. Okay. Thank you. 20:09:31 Okay. So looking at this 20:09:33  report, I want to make sure that I understand 20:09:35 this correctly. And you've already answered 20:09:39 a lot of my questions, so that's great. 20:09:41 Okay. If you'll go with the 20:09:43 total to this one on the very last page, that 20:09:45 total there reads is that could you 20:09:50 read it for me, please? 20:09:53 A. 78,184,600. 20:09:54
2 3 4 5 6 7 8 9 10 11 12 13	Q. Okay. And you mentioned the 20:07:27  hydrocodone I say hydrocodone; you say 20:07:32  hydrocodone. 20:07:34  A. That's all right. 20:07:35  Q. I apologize for that. 20:07:35  You mentioned the hydrocodone 20:07:37  10-milligram, you ran chargeback datas for 20:07:39  those two; is that correct? 20:07:41  A. Yes. 20:07:45  (Mallinckrodt-Harper Exhibit 47 20:07:46  marked for identification.) 20:07:47  QUESTIONS BY MS. HERZFELD: 20:07:47  Q. Okay. I marked this one as 20:07:53  Exhibit 47. Okay. And this is 20:07:54	2 3 4 5 6 7 8 9 10 11 12 13	it was a drug of concern based upon 20:09:27 DEA information, yes. 20:09:29  QUESTIONS BY MS. HERZFELD: 20:09:30 Q. Okay. Thank you. 20:09:31 Okay. So looking at this 20:09:33  report, I want to make sure that I understand 20:09:35 this correctly. And you've already answered 20:09:39 a lot of my questions, so that's great. 20:09:41 Okay. If you'll go with the 20:09:43 total to this one on the very last page, that 20:09:45 total there reads is that could you 20:09:50 read it for me, please? 20:09:53 A. 78,184,600. 20:09:54 Q. Okay. And so that would be 20:10:00
2 3 4 5 6 7 8 9 10 11 12 13 14	Q. Okay. And you mentioned the 20:07:27  hydrocodone I say hydrocodone; you say 20:07:32  hydrocodone. 20:07:34  A. That's all right. 20:07:35  Q. I apologize for that. 20:07:35  You mentioned the hydrocodone 20:07:37  10-milligram, you ran chargeback datas for 20:07:39  those two; is that correct? 20:07:41  A. Yes. 20:07:45  (Mallinckrodt-Harper Exhibit 47 20:07:46  marked for identification.) 20:07:47  QUESTIONS BY MS. HERZFELD: 20:07:47  Q. Okay. I marked this one as 20:07:53  Exhibit 47. Okay. And this is 20:07:54  MNK_TNSTA02527625. 20:08:06	2 3 4 5 6 7 8 9 10 11 12 13 14	it was a drug of concern based upon 20:09:27 DEA information, yes. 20:09:29  QUESTIONS BY MS. HERZFELD: 20:09:30 Q. Okay. Thank you. 20:09:33 report, I want to make sure that I understand 20:09:35 this correctly. And you've already answered 20:09:39 a lot of my questions, so that's great. 20:09:41 Okay. If you'll go with the 20:09:43 total to this one on the very last page, that 20:09:45 total there reads is that could you 20:09:50 read it for me, please? 20:09:53 A. 78,184,600. 20:09:54 Q. Okay. And so that would be 20:10:00 10-milligram hydrocodone hydrocodone APAP 20:10:03
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Okay. And you mentioned the 20:07:27 hydrocodone I say hydrocodone; you say 20:07:32 hydrocodone. 20:07:34  A. That's all right. 20:07:35 Q. I apologize for that. 20:07:35 You mentioned the hydrocodone 20:07:37 10-milligram, you ran chargeback datas for 20:07:39 those two; is that correct? 20:07:41 A. Yes. 20:07:45 (Mallinckrodt-Harper Exhibit 47 20:07:46 marked for identification.) 20:07:47 QUESTIONS BY MS. HERZFELD: 20:07:47 Q. Okay. I marked this one as 20:07:53 Exhibit 47. Okay. And this is 20:07:54 MNK_TNSTA02527625. 20:08:06 If you look at the file name 20:08:13	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	it was a drug of concern based upon 20:09:27 DEA information, yes. 20:09:29  QUESTIONS BY MS. HERZFELD: 20:09:30 Q. Okay. Thank you. 20:09:31 Okay. So looking at this 20:09:33  report, I want to make sure that I understand 20:09:35 this correctly. And you've already answered 20:09:39 a lot of my questions, so that's great. 20:09:41 Okay. If you'll go with the 20:09:43 total to this one on the very last page, that 20:09:45 total there reads is that could you 20:09:50 read it for me, please? 20:09:53 A. 78,184,600. 20:09:54 Q. Okay. And so that would be 20:10:00 10-milligram hydrocodone hydrocodone APAP 20:10:03 pills sold in Tennessee from January 2012 to 20:10:06
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q. Okay. And you mentioned the 20:07:27 hydrocodone I say hydrocodone; you say 20:07:32 hydrocodone. 20:07:34  A. That's all right. 20:07:35 Q. I apologize for that. 20:07:35 You mentioned the hydrocodone 20:07:37 10-milligram, you ran chargeback datas for 20:07:39 those two; is that correct? 20:07:41 A. Yes. 20:07:45 (Mallinckrodt-Harper Exhibit 47 20:07:46 marked for identification.) 20:07:47 QUESTIONS BY MS. HERZFELD: 20:07:47 Q. Okay. I marked this one as 20:07:53 Exhibit 47. Okay. And this is 20:07:54 MNK_TNSTA02527625. 20:08:06 If you look at the file name 20:08:13 here, it says "Hydro APAP 10 shipped to and 20:08:15	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	it was a drug of concern based upon 20:09:27 DEA information, yes. 20:09:29  QUESTIONS BY MS. HERZFELD: 20:09:30 Q. Okay. Thank you. 20:09:33 report, I want to make sure that I understand 20:09:35 this correctly. And you've already answered 20:09:39 a lot of my questions, so that's great. 20:09:41 Okay. If you'll go with the 20:09:43 total to this one on the very last page, that 20:09:45 total there reads is that could you 20:09:50 read it for me, please? 20:09:54 Q. Okay. And so that would be 20:10:00 10-milligram hydrocodone hydrocodone APAP 20:10:03 pills sold in Tennessee from January 2012 to 20:10:06 December 2012; is that correct? That's what 20:10:11
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. Okay. And you mentioned the 20:07:27 hydrocodone I say hydrocodone; you say 20:07:32 hydrocodone. 20:07:34  A. That's all right. 20:07:35 Q. I apologize for that. 20:07:35 You mentioned the hydrocodone 20:07:37 10-milligram, you ran chargeback datas for 20:07:39 those two; is that correct? 20:07:41 A. Yes. 20:07:45 (Mallinckrodt-Harper Exhibit 47 20:07:46 marked for identification.) 20:07:47 QUESTIONS BY MS. HERZFELD: 20:07:53 Exhibit 47. Okay. And this is 20:07:54 MNK_TNSTA02527625. 20:08:06 If you look at the file name 20:08:13 here, it says "Hydro APAP 10 shipped to and 20:08:15 sold via W DEA by month, January 2012 through 20:08:20	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	it was a drug of concern based upon 20:09:27 DEA information, yes. 20:09:29  QUESTIONS BY MS. HERZFELD: 20:09:30 Q. Okay. Thank you. 20:09:33 report, I want to make sure that I understand 20:09:35 this correctly. And you've already answered 20:09:39 a lot of my questions, so that's great. 20:09:41 Okay. If you'll go with the 20:09:43 total to this one on the very last page, that 20:09:45 total there reads is that could you 20:09:50 read it for me, please? 20:09:53 A. 78,184,600. 20:09:54 Q. Okay. And so that would be 20:10:00 10-milligram hydrocodone hydrocodone APAP 20:10:03 pills sold in Tennessee from January 2012 to 20:10:06 December 2012; is that correct? That's what 20:10:11 this shows? 20:10:15
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Okay. And you mentioned the 20:07:27 hydrocodone I say hydrocodone; you say 20:07:32 hydrocodone. 20:07:34  A. That's all right. 20:07:35 Q. I apologize for that. 20:07:35 You mentioned the hydrocodone 20:07:37 10-milligram, you ran chargeback datas for 20:07:39 those two; is that correct? 20:07:41 A. Yes. 20:07:45 (Mallinckrodt-Harper Exhibit 47 20:07:46 marked for identification.) 20:07:47 QUESTIONS BY MS. HERZFELD: 20:07:47 Q. Okay. I marked this one as 20:07:53 Exhibit 47. Okay. And this is 20:07:54 MNK_TNSTA02527625. 20:08:06 If you look at the file name 20:08:13 here, it says "Hydro APAP 10 shipped to and 20:08:15 sold via W DEA by month, January 2012 through 20:08:20 December 2012, all APAP." 20:08:27 Do you know what any of that 20:08:28 means? 20:08:30	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	it was a drug of concern based upon 20:09:27 DEA information, yes. 20:09:29  QUESTIONS BY MS. HERZFELD: 20:09:30 Q. Okay. Thank you. 20:09:33 report, I want to make sure that I understand 20:09:35 this correctly. And you've already answered 20:09:39 a lot of my questions, so that's great. 20:09:41 Okay. If you'll go with the 20:09:43 total to this one on the very last page, that 20:09:45 total there reads is that could you 20:09:50 read it for me, please? 20:09:53 A. 78,184,600. 20:09:54 Q. Okay. And so that would be 20:10:00 10-milligram hydrocodone hydrocodone APAP 20:10:03 pills sold in Tennessee from January 2012 to 20:10:06 December 2012; is that correct? That's what 20:10:11 this shows? 20:10:15 A. The date at the top says '13. 20:10:16 Year 2013. 20:10:21
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Q. Okay. And you mentioned the hydrocodone I say hydrocodone; you say 20:07:32 hydrocodone. 20:07:34  A. That's all right. 20:07:35 Q. I apologize for that. 20:07:35 You mentioned the hydrocodone 20:07:37 10-milligram, you ran chargeback datas for 20:07:39 those two; is that correct? 20:07:41 A. Yes. 20:07:45 (Mallinckrodt-Harper Exhibit 47 20:07:46 marked for identification.) 20:07:47 QUESTIONS BY MS. HERZFELD: 20:07:47 Q. Okay. I marked this one as 20:07:53 Exhibit 47. Okay. And this is 20:07:54 MNK_TNSTA02527625. 20:08:06 If you look at the file name 20:08:13 here, it says "Hydro APAP 10 shipped to and 20:08:15 sold via W DEA by month, January 2012 through 20:08:20 December 2012, all APAP." 20:08:27 Do you know what any of that 20:08:28 means? 20:08:30 A. Yes. 20:08:30 Q. Could you explain it to me, 20:08:31 please? 20:08:32	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	it was a drug of concern based upon 20:09:27 DEA information, yes. 20:09:29  QUESTIONS BY MS. HERZFELD: 20:09:30 Q. Okay. Thank you. 20:09:33 report, I want to make sure that I understand 20:09:35 this correctly. And you've already answered 20:09:39 a lot of my questions, so that's great. 20:09:41 Okay. If you'll go with the 20:09:43 total to this one on the very last page, that 20:09:45 total there reads is that could you 20:09:50 read it for me, please? 20:09:53 A. 78,184,600. 20:09:54 Q. Okay. And so that would be 20:10:00 10-milligram hydrocodone hydrocodone APAP 20:10:03 pills sold in Tennessee from January 2012 to 20:10:06 December 2012; is that correct? That's what 20:10:11 this shows? 20:10:15 A. The date at the top says '13. 20:10:16 Year 2013. 20:10:21 Q. Well, I think that's the date, 20:10:22 A. Here. 20:10:24 Q. Oh, it sure does. Maybe it's 20:10:27
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	<u> </u>		
	Page 546		Page 548
1	Okay. So 2013. Make sure I've 20:10:30	1	A. VA and other government 20:12:41
2	got the right chart. 20:10:33	2	entities. 20:12:44
3	Well, it sure does say 2013. 20:10:46	3	Q. Okay. And do you know what 20:12:45
4	Okay. So I'm going to modify my question. 20:10:49	4	year she left? 20:12:50
5	So that total there okay. 20:10:50	5	A. Within the past two years. 20:12:51
6	So that total there, 78,184,600, that is 20:10:59	6	Q. Okay. Do you know if someone 20:12:53
7	hydro APAP pills sold in Tennessee during the 20:11:06	7	has replaced her? 20:12:54
8	calendar year 2013. Is that correct, 20:11:10	8	A. Yes. 20:12:55
9	according to this chart? 20:11:11	9	Q. Do you know who it is? 20:12:56
10	A. Those with 10 milligrams of 20:11:12	10	A. I there are several new 20:12:57
11	hydrocodone, yes. 20:11:14	11	national account managers. I barely know 20:13:00
12	Q. Okay. Thank you. 20:11:15	12	their names, and I don't know their 20:13:05
13	Do you know why that number is 20:11:21	13	territories. 20:13:06
14	so large? 20:11:25	14	Q. Okay. Do you know what 867 20:13:07
15	A. I don't have enough information 20:11:26	15	data is? 20:13:11
16	to determine whether this is a large number. 20:11:33	16	A. I've heard the term, yes. 20:13:11
17	Q. Okay. Do you know how what 20:11:37	17	Q. Okay. Do you know what it is? 20:13:13
18	the average was of 10-milligram hydrocodone 20:11:40	18	A. It has to do with chargebacks, 20:13:14
19	pills being shipped to a state? 20:11:42	19	but other than that, it's I don't know. 20:13:19
20	A. No. 20:11:44	20	(Mallinckrodt-Harper Exhibit 48 20:14:15
21	Q. Okay. Do you know anything 20:11:47	21	marked for identification.) 20:14:16
22	about a Veterans Administration hospital in 20:11:48	22	QUESTIONS BY MS. HERZFELD: 20:14:16
23	Tennessee getting shipments of hydrocodone? 20:11:52	23	Q. Okay. I'll show you what we'll 20:14:10
24	MR. O'CONNOR: Objection to 20:11:54	24	mark as Plaintiff's Exhibit 48. 20:14:14
25	form. 20:11:55	25	Mallinckrodt sorry, it's 20:14:20
	Page 547		Page 549
1	THE WITNESS: Not specifically, 20:11:55	1	MNK-T1_0007717730. 20:14:23
2	no. 20:11:56	2	Take a look at this. My 20:14:31
2 3	no. 20:11:56 QUESTIONS BY MS. HERZFELD: 20:11:56	2 3	Take a look at this. My 20:14:31 question here is actually pretty simple if 20:14:41
			•
3 4	QUESTIONS BY MS. HERZFELD: 20:11:56	3	question here is actually pretty simple if 20:14:41
3 4	QUESTIONS BY MS. HERZFELD: 20:11:56 Q. Okay. Do you know if the VA 20:11:57	3 4	question here is actually pretty simple if 20:14:41 you'll just take a look at it. 20:14:44
3 4 5	QUESTIONS BY MS. HERZFELD: 20:11:56 Q. Okay. Do you know if the VA 20:11:57 has a warehouse in Tennessee for medication? 20:12:05	3 4 5	question here is actually pretty simple if 20:14:41 you'll just take a look at it. 20:14:44  A. All right. 20:14:45
3 4 5 6	QUESTIONS BY MS. HERZFELD: 20:11:56 Q. Okay. Do you know if the VA 20:11:57 has a warehouse in Tennessee for medication? 20:12:05 A. I do not know. 20:12:07	3 4 5 6	question here is actually pretty simple if 20:14:41 you'll just take a look at it. 20:14:44 A. All right. 20:14:45 Q. Does this also appear to be a 20:14:47
3 4 5 6 7	QUESTIONS BY MS. HERZFELD: 20:11:56 Q. Okay. Do you know if the VA 20:11:57 has a warehouse in Tennessee for medication? 20:12:05 A. I do not know. 20:12:07 Q. Okay. Have you dealt with the 20:12:08	3 4 5 6 7	question here is actually pretty simple if 20:14:41 you'll just take a look at it. 20:14:44  A. All right. 20:14:45 Q. Does this also appear to be a 20:14:47 chart of hydro APAP 10s sold for the calendar 20:14:48
3 4 5 6 7 8	QUESTIONS BY MS. HERZFELD: 20:11:56 Q. Okay. Do you know if the VA 20:11:57 has a warehouse in Tennessee for medication? 20:12:05 A. I do not know. 20:12:07 Q. Okay. Have you dealt with the 20:12:08 VA, Veterans Administration, at all in 20:12:12 supplying their medication? 20:12:15 A. I know we supply the VA, but 20:12:16	3 4 5 6 7 8	question here is actually pretty simple if 20:14:41 you'll just take a look at it. 20:14:44  A. All right. 20:14:45 Q. Does this also appear to be a 20:14:47 chart of hydro APAP 10s sold for the calendar 20:14:48 year 2015 to the state of Tennessee? 20:14:51 A. Yes. 20:14:53 Q. Okay. That's my only question. 20:14:54
3 4 5 6 7 8	QUESTIONS BY MS. HERZFELD: 20:11:56 Q. Okay. Do you know if the VA 20:11:57 has a warehouse in Tennessee for medication? 20:12:05 A. I do not know. 20:12:07 Q. Okay. Have you dealt with the 20:12:08 VA, Veterans Administration, at all in 20:12:12 supplying their medication? 20:12:15 A. I know we supply the VA, but 20:12:16 I've not had any conversations with the VA. 20:12:18	3 4 5 6 7 8 9	question here is actually pretty simple if 20:14:41 you'll just take a look at it. 20:14:44  A. All right. 20:14:45 Q. Does this also appear to be a 20:14:47 chart of hydro APAP 10s sold for the calendar 20:14:48 year 2015 to the state of Tennessee? 20:14:51 A. Yes. 20:14:53 Q. Okay. That's my only question. 20:14:54 Okay. And you could place any 20:14:55
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3 4 5 6 7 8 9 10	QUESTIONS BY MS. HERZFELD: 20:11:56 Q. Okay. Do you know if the VA 20:11:57 has a warehouse in Tennessee for medication? 20:12:05 A. I do not know. 20:12:07 Q. Okay. Have you dealt with the 20:12:08 VA, Veterans Administration, at all in 20:12:12 supplying their medication? 20:12:15 A. I know we supply the VA, but 20:12:16 I've not had any conversations with the VA. 20:12:18 Q. Okay. Was there a specific 20:12:21 person at Mallinckrodt whose job it would 20:12:23	3 4 5 6 7 8 9 10 11 12 13	question here is actually pretty simple if 20:14:41 you'll just take a look at it. 20:14:44  A. All right. 20:14:45 Q. Does this also appear to be a 20:14:47 chart of hydro APAP 10s sold for the calendar 20:14:48 year 2015 to the state of Tennessee? 20:14:51  A. Yes. 20:14:53 Q. Okay. That's my only question. 20:14:54 Okay. And you could place any 20:14:55 pharmacy on the chargeback data restrictions 20:15:27 list; is that right? 20:15:29
3 4 5 6 7 8 9 10 11 12 13 14	QUESTIONS BY MS. HERZFELD: 20:11:56 Q. Okay. Do you know if the VA 20:11:57 has a warehouse in Tennessee for medication? 20:12:05 A. I do not know. 20:12:07 Q. Okay. Have you dealt with the 20:12:08 VA, Veterans Administration, at all in 20:12:12 supplying their medication? 20:12:15 A. I know we supply the VA, but 20:12:16 I've not had any conversations with the VA. 20:12:18 Q. Okay. Was there a specific 20:12:21 person at Mallinckrodt whose job it would 20:12:23 have been to deal with the VA? 20:12:24	3 4 5 6 7 8 9 10 11 12 13	question here is actually pretty simple if 20:14:41 you'll just take a look at it. 20:14:44  A. All right. 20:14:45 Q. Does this also appear to be a 20:14:47 chart of hydro APAP 10s sold for the calendar 20:14:48 year 2015 to the state of Tennessee? 20:14:51 A. Yes. 20:14:53 Q. Okay. That's my only question. 20:14:54 Okay. And you could place any 20:14:55 pharmacy on the chargeback data restrictions 20:15:27 list; is that right? 20:15:29  MR. O'CONNOR: Objection to 20:15:33
3 4 5 6 7 8 9 10 11 12 13 14	QUESTIONS BY MS. HERZFELD: 20:11:56 Q. Okay. Do you know if the VA 20:11:57 has a warehouse in Tennessee for medication? 20:12:05 A. I do not know. 20:12:07 Q. Okay. Have you dealt with the 20:12:08 VA, Veterans Administration, at all in 20:12:12 supplying their medication? 20:12:15 A. I know we supply the VA, but 20:12:16 I've not had any conversations with the VA. 20:12:18 Q. Okay. Was there a specific 20:12:21 person at Mallinckrodt whose job it would 20:12:23 have been to deal with the VA? 20:12:24 A. Yes. 20:12:26	3 4 5 6 7 8 9 10 11 12 13 14	question here is actually pretty simple if 20:14:41 you'll just take a look at it. 20:14:44  A. All right. 20:14:45 Q. Does this also appear to be a 20:14:47 chart of hydro APAP 10s sold for the calendar 20:14:48 year 2015 to the state of Tennessee? 20:14:51  A. Yes. 20:14:53 Q. Okay. That's my only question. 20:14:54 Okay. And you could place any 20:14:55 pharmacy on the chargeback data restrictions 20:15:27 list; is that right? 20:15:29  MR. O'CONNOR: Objection to 20:15:33 form. 20:15:34
3 4 5 6 7 8 9 10 11 12 13 14 15 16	QUESTIONS BY MS. HERZFELD: 20:11:56 Q. Okay. Do you know if the VA 20:11:57 has a warehouse in Tennessee for medication? 20:12:05 A. I do not know. 20:12:07 Q. Okay. Have you dealt with the 20:12:08 VA, Veterans Administration, at all in 20:12:12 supplying their medication? 20:12:15 A. I know we supply the VA, but 20:12:16 I've not had any conversations with the VA. 20:12:18 Q. Okay. Was there a specific 20:12:21 person at Mallinckrodt whose job it would 20:12:23 have been to deal with the VA? 20:12:24 A. Yes. 20:12:26 Q. Who would that have been? 20:12:27	3 4 5 6 7 8 9 10 11 12 13	question here is actually pretty simple if 20:14:41 you'll just take a look at it. 20:14:44  A. All right. 20:14:45 Q. Does this also appear to be a 20:14:47 chart of hydro APAP 10s sold for the calendar 20:14:48 year 2015 to the state of Tennessee? 20:14:51 A. Yes. 20:14:53 Q. Okay. That's my only question. 20:14:54 Okay. And you could place any 20:14:55 pharmacy on the chargeback data restrictions 20:15:27 list; is that right? 20:15:29  MR. O'CONNOR: Objection to 20:15:33 form. 20:15:34  THE WITNESS: Provided it was a 20:15:34
3 4 5 6 7 8 9 10 11 12 13 14	QUESTIONS BY MS. HERZFELD: 20:11:56 Q. Okay. Do you know if the VA 20:11:57 has a warehouse in Tennessee for medication? 20:12:05 A. I do not know. 20:12:07 Q. Okay. Have you dealt with the 20:12:08 VA, Veterans Administration, at all in 20:12:15 A. I know we supply the VA, but 20:12:16 I've not had any conversations with the VA. 20:12:18 Q. Okay. Was there a specific 20:12:21 person at Mallinckrodt whose job it would 20:12:23 have been to deal with the VA? 20:12:24 A. Yes. 20:12:26 Q. Who would that have been? 20:12:27 A. So she's no longer with the 20:12:28	3 4 5 6 7 8 9 10 11 12 13 14	question here is actually pretty simple if 20:14:41 you'll just take a look at it. 20:14:44  A. All right. 20:14:45 Q. Does this also appear to be a 20:14:47 chart of hydro APAP 10s sold for the calendar 20:14:48 year 2015 to the state of Tennessee? 20:14:51 A. Yes. 20:14:53 Q. Okay. That's my only question. 20:14:54 Okay. And you could place any 20:14:55 pharmacy on the chargeback data restrictions 20:15:27 list; is that right? 20:15:29  MR. O'CONNOR: Objection to 20:15:33 form. 20:15:34  THE WITNESS: Provided it was a 20:15:37
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	QUESTIONS BY MS. HERZFELD: 20:11:56 Q. Okay. Do you know if the VA 20:11:57 has a warehouse in Tennessee for medication? 20:12:05 A. I do not know. 20:12:07 Q. Okay. Have you dealt with the 20:12:08 VA, Veterans Administration, at all in 20:12:12 supplying their medication? 20:12:15 A. I know we supply the VA, but 20:12:16 I've not had any conversations with the VA. 20:12:18 Q. Okay. Was there a specific 20:12:21 person at Mallinckrodt whose job it would 20:12:23 have been to deal with the VA? 20:12:24 A. Yes. 20:12:26 Q. Who would that have been? 20:12:27 A. So she's no longer with the 20:12:28 company. 20:12:30	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	question here is actually pretty simple if 20:14:41 you'll just take a look at it. 20:14:44 A. All right. 20:14:45 Q. Does this also appear to be a 20:14:47 chart of hydro APAP 10s sold for the calendar 20:14:48 year 2015 to the state of Tennessee? 20:14:51 A. Yes. 20:14:53 Q. Okay. That's my only question. 20:14:54 Okay. And you could place any 20:14:55 pharmacy on the chargeback data restrictions 20:15:27 list; is that right? 20:15:29 MR. O'CONNOR: Objection to 20:15:33 form. 20:15:34 THE WITNESS: Provided it was a 20:15:37 distributor who applied for a 20:15:39
3 4 5 6 7 8 9 10 11 12 13 14 15 16	QUESTIONS BY MS. HERZFELD: 20:11:56 Q. Okay. Do you know if the VA 20:11:57 has a warehouse in Tennessee for medication? 20:12:05 A. I do not know. 20:12:07 Q. Okay. Have you dealt with the 20:12:08 VA, Veterans Administration, at all in 20:12:12 supplying their medication? 20:12:15 A. I know we supply the VA, but 20:12:16 I've not had any conversations with the VA. 20:12:18 Q. Okay. Was there a specific 20:12:21 person at Mallinckrodt whose job it would 20:12:23 have been to deal with the VA? 20:12:24 A. Yes. 20:12:26 Q. Who would that have been? 20:12:27 A. So she's no longer with the 20:12:28 company. 20:12:30 Q. Okay. 20:12:31	3 4 5 6 7 8 9 10 11 12 13 14 15 16	question here is actually pretty simple if 20:14:41 you'll just take a look at it. 20:14:44  A. All right. 20:14:45 Q. Does this also appear to be a 20:14:47 chart of hydro APAP 10s sold for the calendar 20:14:48 year 2015 to the state of Tennessee? 20:14:51 A. Yes. 20:14:53 Q. Okay. That's my only question. 20:14:54 Okay. And you could place any 20:14:55 pharmacy on the chargeback data restrictions 20:15:27 list; is that right? 20:15:29  MR. O'CONNOR: Objection to 20:15:33 form. 20:15:34  THE WITNESS: Provided it was a 20:15:37 distributor who applied for a 20:15:39 chargeback reimbursement, yes. Yes. 20:15:41
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	QUESTIONS BY MS. HERZFELD: 20:11:56 Q. Okay. Do you know if the VA 20:11:57 has a warehouse in Tennessee for medication? 20:12:05 A. I do not know. 20:12:07 Q. Okay. Have you dealt with the 20:12:08 VA, Veterans Administration, at all in 20:12:12 supplying their medication? 20:12:15 A. I know we supply the VA, but 20:12:16 I've not had any conversations with the VA. 20:12:18 Q. Okay. Was there a specific 20:12:21 person at Mallinckrodt whose job it would 20:12:23 have been to deal with the VA? 20:12:24 A. Yes. 20:12:26 Q. Who would that have been? 20:12:27 A. So she's no longer with the 20:12:28 company. 20:12:30 Q. Okay. 20:12:31 A. Her name is Trudy Nicholson. 20:12:32	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	question here is actually pretty simple if 20:14:41 you'll just take a look at it. 20:14:44  A. All right. 20:14:45 Q. Does this also appear to be a 20:14:47 chart of hydro APAP 10s sold for the calendar 20:14:48 year 2015 to the state of Tennessee? 20:14:51 A. Yes. 20:14:53 Q. Okay. That's my only question. 20:14:54 Okay. And you could place any 20:14:55 pharmacy on the chargeback data restrictions 20:15:27 list; is that right? 20:15:29 MR. O'CONNOR: Objection to 20:15:33 form. 20:15:34 THE WITNESS: Provided it was a 20:15:37 distributor who applied for a 20:15:39 chargeback reimbursement, yes. Yes. 20:15:41 QUESTIONS BY MS. HERZFELD: 20:15:43
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	QUESTIONS BY MS. HERZFELD: 20:11:56 Q. Okay. Do you know if the VA 20:11:57 has a warehouse in Tennessee for medication? 20:12:05 A. I do not know. 20:12:07 Q. Okay. Have you dealt with the 20:12:08 VA, Veterans Administration, at all in 20:12:12 supplying their medication? 20:12:15 A. I know we supply the VA, but 20:12:16 I've not had any conversations with the VA. 20:12:18 Q. Okay. Was there a specific 20:12:21 person at Mallinckrodt whose job it would 20:12:23 have been to deal with the VA? 20:12:24 A. Yes. 20:12:26 Q. Who would that have been? 20:12:27 A. So she's no longer with the 20:12:28 company. 20:12:30 Q. Okay. 20:12:31 A. Her name is Trudy Nicholson. 20:12:32 Q. Okay. And what was Trudy 20:12:34	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	question here is actually pretty simple if 20:14:41 you'll just take a look at it. 20:14:44  A. All right. 20:14:45 Q. Does this also appear to be a 20:14:47 chart of hydro APAP 10s sold for the calendar 20:14:48 year 2015 to the state of Tennessee? 20:14:51 A. Yes. 20:14:53 Q. Okay. That's my only question. 20:14:54 Okay. And you could place any 20:14:55 pharmacy on the chargeback data restrictions 20:15:27 list; is that right? 20:15:29 MR. O'CONNOR: Objection to 20:15:33 form. 20:15:34 THE WITNESS: Provided it was a 20:15:34 pharmacy that purchased through a 20:15:37 distributor who applied for a 20:15:39 chargeback reimbursement, yes. Yes. 20:15:41 QUESTIONS BY MS. HERZFELD: 20:15:43 Q. Okay. And you didn't you 20:15:44
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	QUESTIONS BY MS. HERZFELD: 20:11:56 Q. Okay. Do you know if the VA 20:11:57 has a warehouse in Tennessee for medication? 20:12:05 A. I do not know. 20:12:07 Q. Okay. Have you dealt with the 20:12:08 VA, Veterans Administration, at all in 20:12:12 supplying their medication? 20:12:15 A. I know we supply the VA, but 20:12:16 I've not had any conversations with the VA. 20:12:18 Q. Okay. Was there a specific 20:12:21 person at Mallinckrodt whose job it would 20:12:23 have been to deal with the VA? 20:12:24 A. Yes. 20:12:26 Q. Who would that have been? 20:12:27 A. So she's no longer with the 20:12:28 company. 20:12:31 A. Her name is Trudy Nicholson. 20:12:32 Q. Okay. And what was Trudy 20:12:34 Nicholson's position? 20:12:36	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	question here is actually pretty simple if 20:14:41 you'll just take a look at it. 20:14:44  A. All right. 20:14:45 Q. Does this also appear to be a 20:14:47 chart of hydro APAP 10s sold for the calendar 20:14:48 year 2015 to the state of Tennessee? 20:14:51  A. Yes. 20:14:53 Q. Okay. That's my only question. 20:14:54 Okay. And you could place any 20:14:55 pharmacy on the chargeback data restrictions 20:15:27 list; is that right? 20:15:29  MR. O'CONNOR: Objection to 20:15:33 form. 20:15:34  THE WITNESS: Provided it was a 20:15:37 distributor who applied for a 20:15:39 chargeback reimbursement, yes. Yes. 20:15:41 QUESTIONS BY MS. HERZFELD: 20:15:43 Q. Okay. And you didn't you 20:15:44 weren't required to fill any orders that 20:15:45
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	QUESTIONS BY MS. HERZFELD: Q. Okay. Do you know if the VA 20:11:57 has a warehouse in Tennessee for medication? 20:12:05 A. I do not know. 20:12:07 Q. Okay. Have you dealt with the 20:12:08 VA, Veterans Administration, at all in 20:12:12 supplying their medication? 20:12:15 A. I know we supply the VA, but 20:12:16 I've not had any conversations with the VA. 20:12:18 Q. Okay. Was there a specific 20:12:21 person at Mallinckrodt whose job it would 20:12:23 have been to deal with the VA? 20:12:24 A. Yes. 20:12:26 Q. Who would that have been? 20:12:27 A. So she's no longer with the 20:12:28 company. 20:12:30 Q. Okay. 20:12:31 A. Her name is Trudy Nicholson. 20:12:32 Q. Okay. And what was Trudy 20:12:34 Nicholson's position? 20:12:36 A. National account manager. 20:12:37	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	question here is actually pretty simple if 20:14:41 you'll just take a look at it. 20:14:44  A. All right. 20:14:45 Q. Does this also appear to be a 20:14:47 chart of hydro APAP 10s sold for the calendar 20:14:48 year 2015 to the state of Tennessee? 20:14:51 A. Yes. 20:14:53 Q. Okay. That's my only question. 20:14:54 Okay. And you could place any 20:14:55 pharmacy on the chargeback data restrictions 20:15:27 list; is that right? 20:15:29  MR. O'CONNOR: Objection to 20:15:33 form. 20:15:34  THE WITNESS: Provided it was a 20:15:37 distributor who applied for a 20:15:39 chargeback reimbursement, yes. Yes. 20:15:41 QUESTIONS BY MS. HERZFELD: 20:15:43 Q. Okay. And you didn't you 20:15:44 weren't required to fill any orders that 20:15:45 seemed suspicious? 20:15:49
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	QUESTIONS BY MS. HERZFELD: Q. Okay. Do you know if the VA 20:11:57 has a warehouse in Tennessee for medication? 20:12:05 A. I do not know. Q. Okay. Have you dealt with the 20:12:08 VA, Veterans Administration, at all in 20:12:15 A. I know we supply the VA, but 20:12:16 I've not had any conversations with the VA. 20:12:18 Q. Okay. Was there a specific 20:12:21 person at Mallinckrodt whose job it would 20:12:23 have been to deal with the VA? 20:12:24 A. Yes. 20:12:26 Q. Who would that have been? 20:12:27 A. So she's no longer with the 20:12:28 company. 20:12:30 Q. Okay. 20:12:31 A. Her name is Trudy Nicholson. 20:12:32 Q. Okay. And what was Trudy 20:12:34 Nicholson's position? 20:12:36 A. National account manager. 20:12:37 Q. Okay. And do you know what her 20:12:38	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	question here is actually pretty simple if 20:14:41 you'll just take a look at it. 20:14:44  A. All right. 20:14:45 Q. Does this also appear to be a 20:14:47 chart of hydro APAP 10s sold for the calendar 20:14:48 year 2015 to the state of Tennessee? 20:14:51 A. Yes. 20:14:53 Q. Okay. That's my only question. 20:14:54 Okay. And you could place any 20:14:55 pharmacy on the chargeback data restrictions 20:15:27 list; is that right? 20:15:29  MR. O'CONNOR: Objection to 20:15:33 form. 20:15:34  THE WITNESS: Provided it was a 20:15:37 distributor who applied for a 20:15:39 chargeback reimbursement, yes. Yes. 20:15:41 QUESTIONS BY MS. HERZFELD: 20:15:43 Q. Okay. And you didn't you 20:15:44 weren't required to fill any orders that 20:15:45 seemed suspicious? 20:15:49
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	QUESTIONS BY MS. HERZFELD: Q. Okay. Do you know if the VA 20:11:57 has a warehouse in Tennessee for medication? 20:12:05 A. I do not know. 20:12:07 Q. Okay. Have you dealt with the 20:12:08 VA, Veterans Administration, at all in 20:12:12 supplying their medication? 20:12:15 A. I know we supply the VA, but 20:12:16 I've not had any conversations with the VA. 20:12:18 Q. Okay. Was there a specific 20:12:21 person at Mallinckrodt whose job it would 20:12:23 have been to deal with the VA? 20:12:24 A. Yes. 20:12:26 Q. Who would that have been? 20:12:27 A. So she's no longer with the 20:12:28 company. 20:12:30 Q. Okay. 20:12:31 A. Her name is Trudy Nicholson. 20:12:32 Q. Okay. And what was Trudy 20:12:34 Nicholson's position? 20:12:36 A. National account manager. 20:12:37	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	question here is actually pretty simple if 20:14:41 you'll just take a look at it. 20:14:44  A. All right. 20:14:45 Q. Does this also appear to be a 20:14:47 chart of hydro APAP 10s sold for the calendar 20:14:48 year 2015 to the state of Tennessee? 20:14:51 A. Yes. 20:14:53 Q. Okay. That's my only question. 20:14:54 Okay. And you could place any 20:14:55 pharmacy on the chargeback data restrictions 20:15:27 list; is that right? 20:15:29  MR. O'CONNOR: Objection to 20:15:33 form. 20:15:34  THE WITNESS: Provided it was a 20:15:37 distributor who applied for a 20:15:39 chargeback reimbursement, yes. Yes. 20:15:41 QUESTIONS BY MS. HERZFELD: 20:15:43 Q. Okay. And you didn't you 20:15:44 weren't required to fill any orders that 20:15:45 seemed suspicious? 20:15:49

	Page 550		Page 552
1	all in the review of the distributors top 40 20:15:56	1	Q. Okay. And you recognize it as 20:18:26
2	pharmacies that began somewhere around 20:15:58	2	your handwriting? 20:18:27
3	October of 2011? 20:16:00	3	A. Yes. 20:18:27
4	MR. O'CONNOR: Objection to 20:16:02	4	Q. Okay. Great. 20:18:28
5	form. 20:16:02	5	And it looks like yet again we 20:18:29
6	THE WITNESS: Yes. 20:16:02	6	have added another document to the back of 20:18:34
7	QUESTIONS BY MS. HERZFELD: 20:16:03	7	this, if you'll bear with me for just one 20:18:36
8	Q. Okay. And that was 20:16:03	8	second. 20:18:39
9	Mallinckrodt reviewed the top 20 pharmacies 20:16:05	9	A. Oh oh. 20:18:39
10	in Florida and the top 20 pharmacies outside 20:16:07	10	Q. Yeah, it looks like it got 20:18:44
11	of Florida; is that correct? 20:16:11	11	copied on the second back, so we're going to 20:18:45
12	A. Yes. 20:16:12	12	ignore those pharmacy information sheets for 20:18:48
13	Q. Okay. And some of those 20:16:13	13	a minute, okay? My apologies. 20:18:50
14	pharmacies that were on the 20 list outside 20:16:16	14	A. All right. 20:18:53
15	of Florida were in Tennessee; is that right? 20:16:18	15	Q. Okay. So let's just look at 20:18:53
16	A. I don't I don't have the 20:16:20	16	this document as it is. 20:18:55
17	list in front of me, but I don't dispute 20:16:24	17	A. Which page, please? 20:18:56
18	that. 20:16:26	18	Q. The first page. 20:18:57
19	Q. Okay. And which distributors 20:16:27	19	A. This first page? Okay. Yes. 20:18:57
20	did you review? 20:16:35	20	Got it. 20:18:59
21	You were involved with the 20:16:36	21	Q. Yes, the one that ends 2727. 20:18:59
22	Cardinal review? 20:16:37	22	A. Got it. 20:19:02
23	A. Yes. 20:16:37	23	Q. Is this the Cardinal top 40 20:19:02
24	Q. Okay. And if I understand 20:16:40	24	oxy 30 pharmacies as of March 2012? 20:19:04
25	things correctly, one of the things that was 20:16:43	25	MS. FIX MEYER: Objection. 20:19:09
	Page 551		Page 553
1	asked of the distributors was to have them 20:16:50	1	Form. Foundation. 20:19:10
1 2	asked of the distributors was to have them 20:16:50 fill out a pharmacy information sheet; is 20:16:52	1 2	
			Form. Foundation. 20:19:10
2	fill out a pharmacy information sheet; is 20:16:52	2	Form. Foundation. 20:19:10  MS. HERZFELD: I'm going to 20:19:12
2 3	fill out a pharmacy information sheet; is 20:16:52 that correct? 20:16:55	2 3	Form. Foundation. 20:19:10  MS. HERZFELD: I'm going to 20:19:12 object to your objection because 20:19:12
2 3 4	fill out a pharmacy information sheet; is 20:16:52 that correct? 20:16:55  A. Yes. Yes. 20:16:55	2 3 4	Form. Foundation. 20:19:10  MS. HERZFELD: I'm going to 20:19:12 object to your objection because 20:19:12 you're not a party in our case. 20:19:13
2 3 4 5	fill out a pharmacy information sheet; is 20:16:52 that correct? 20:16:55  A. Yes. Yes. 20:16:55  Q. Okay. And were you involved in 20:16:56	2 3 4 5	Form. Foundation. 20:19:10  MS. HERZFELD: I'm going to 20:19:12 object to your objection because 20:19:12 you're not a party in our case. 20:19:13  MS. FIX MEYER: Okay. 20:19:15
2 3 4 5 6	fill out a pharmacy information sheet; is 20:16:52 that correct? 20:16:55 A. Yes. Yes. 20:16:55 Q. Okay. And were you involved in 20:16:56 helping to develop those pharmacy information 20:16:58	2 3 4 5 6	Form. Foundation. 20:19:10  MS. HERZFELD: I'm going to 20:19:12 object to your objection because 20:19:12 you're not a party in our case. 20:19:13  MS. FIX MEYER: Okay. 20:19:15 THE WITNESS: Yes. 20:19:16
2 3 4 5 6 7	fill out a pharmacy information sheet; is 20:16:52 that correct? 20:16:55 A. Yes. Yes. 20:16:55 Q. Okay. And were you involved in 20:16:56 helping to develop those pharmacy information 20:16:58 sheets? 20:17:01	2 3 4 5 6 7	Form. Foundation. 20:19:10  MS. HERZFELD: I'm going to 20:19:12 object to your objection because 20:19:12 you're not a party in our case. 20:19:13  MS. FIX MEYER: Okay. 20:19:15 THE WITNESS: Yes. 20:19:16  QUESTIONS BY MS. HERZFELD: 20:19:19
2 3 4 5 6 7 8	fill out a pharmacy information sheet; is 20:16:52 that correct? 20:16:55 A. Yes. Yes. 20:16:55 Q. Okay. And were you involved in 20:16:56 helping to develop those pharmacy information 20:16:58 sheets? 20:17:01 A. Yes. 20:17:01	2 3 4 5 6 7 8	Form. Foundation. 20:19:10  MS. HERZFELD: I'm going to 20:19:12 object to your objection because 20:19:12 you're not a party in our case. 20:19:13  MS. FIX MEYER: Okay. 20:19:15 THE WITNESS: Yes. 20:19:16  QUESTIONS BY MS. HERZFELD: 20:19:19 Q. Okay? And do you see Tennessee 20:19:20
2 3 4 5 6 7 8	fill out a pharmacy information sheet; is 20:16:52 that correct? 20:16:55  A. Yes. Yes. 20:16:55 Q. Okay. And were you involved in 20:16:56 helping to develop those pharmacy information 20:16:58 sheets? 20:17:01 A. Yes. 20:17:01 Q. Okay. And who else was 20:17:03	2 3 4 5 6 7 8	Form. Foundation. 20:19:10  MS. HERZFELD: I'm going to 20:19:12 object to your objection because 20:19:12 you're not a party in our case. 20:19:13  MS. FIX MEYER: Okay. 20:19:15 THE WITNESS: Yes. 20:19:16  QUESTIONS BY MS. HERZFELD: 20:19:19 Q. Okay? And do you see Tennessee 20:19:20 pharmacies on this list? 20:19:21
2 3 4 5 6 7 8 9	fill out a pharmacy information sheet; is 20:16:52 that correct? 20:16:55 A. Yes. Yes. 20:16:55 Q. Okay. And were you involved in 20:16:56 helping to develop those pharmacy information 20:16:58 sheets? 20:17:01 A. Yes. 20:17:01 Q. Okay. And who else was 20:17:03 involved in that? 20:17:05	2 3 4 5 6 7 8 9	Form. Foundation. 20:19:10  MS. HERZFELD: I'm going to 20:19:12 object to your objection because 20:19:12 you're not a party in our case. 20:19:13  MS. FIX MEYER: Okay. 20:19:15 THE WITNESS: Yes. 20:19:16  QUESTIONS BY MS. HERZFELD: 20:19:19 Q. Okay? And do you see Tennessee 20:19:20 pharmacies on this list? 20:19:21 A. Yes. 20:19:22
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	that correct? 20:16:55  A. Yes. Yes. 20:16:55 Q. Okay. And were you involved in 20:16:56 helping to develop those pharmacy information 20:16:58 sheets? 20:17:01 A. Yes. 20:17:01 Q. Okay. And who else was 20:17:03 involved in that? 20:17:05 A. It was a team effort by 20:17:05 suspicious order monitoring team members at 20:17:10 that time. 20:17:12 Q. Okay. Okay. I think we'll go 20:17:12 back in our questioning just a little bit 20:17:44 here. 20:17:48 (Mallinckrodt-Harper Exhibit 49 20:17:56 marked for identification.) 20:17:56 QUESTIONS BY MS. HERZFELD: 20:17:56 Exhibit 49. This one is labeled 20:18:00	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Form. Foundation. 20:19:10  MS. HERZFELD: I'm going to 20:19:12 object to your objection because 20:19:12 you're not a party in our case. 20:19:13  MS. FIX MEYER: Okay. 20:19:15 THE WITNESS: Yes. 20:19:16  QUESTIONS BY MS. HERZFELD: 20:19:19 Q. Okay? And do you see Tennessee 20:19:20 pharmacies on this list? 20:19:21 A. Yes. 20:19:22 Q. Okay. And which pharmacies do 20:19:23 you see that are located in Tennessee on this 20:19:26 list? 20:19:28 A. I see Riggs Drug. 20:19:31 A. And, oh, Riggs Drug again. 20:19:32 Q. Yes, ma'am. 20:19:38 A. And Kinser drugstore. 20:19:39 Q. Okay. And do you know what 20:19:41 that shaded area, pharmacy 90-day review from 20:19:42 previous meeting, means? 20:19:46
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	fill out a pharmacy information sheet; is 20:16:52 that correct? 20:16:55  A. Yes. Yes. 20:16:55 Q. Okay. And were you involved in 20:16:56 helping to develop those pharmacy information 20:16:58 sheets? 20:17:01 A. Yes. 20:17:01 Q. Okay. And who else was 20:17:03 involved in that? 20:17:05 A. It was a team effort by 20:17:05 suspicious order monitoring team members at 20:17:10 that time. 20:17:12 Q. Okay. Okay. I think we'll go 20:17:12 back in our questioning just a little bit 20:17:44 here. 20:17:48  (Mallinckrodt-Harper Exhibit 49 20:17:55 marked for identification.) 20:17:56 QUESTIONS BY MS. HERZFELD: 20:17:56 Exhibit 49. This one is labeled 20:18:00 MNK-T1_0004592727. 20:18:15	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Form. Foundation. 20:19:10  MS. HERZFELD: I'm going to 20:19:12  object to your objection because 20:19:12  you're not a party in our case. 20:19:13  MS. FIX MEYER: Okay. 20:19:15  THE WITNESS: Yes. 20:19:16  QUESTIONS BY MS. HERZFELD: 20:19:19  Q. Okay? And do you see Tennessee 20:19:20  pharmacies on this list? 20:19:21  A. Yes. 20:19:22  Q. Okay. And which pharmacies do 20:19:23  you see that are located in Tennessee on this 20:19:26  list? 20:19:28  A. I see Riggs Drug. 20:19:28  Q. Yes, ma'am. 20:19:31  A. And, oh, Riggs Drug again. 20:19:32  Q. Yes, ma'am. 20:19:39  Q. Yes, ma'am. 20:19:39  Q. Okay. And do you know what 20:19:41  that shaded area, pharmacy 90-day review from 20:19:42  previous meeting, means? 20:19:47
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	fill out a pharmacy information sheet; is 20:16:52 that correct? 20:16:55 A. Yes. Yes. 20:16:55 Q. Okay. And were you involved in 20:16:56 helping to develop those pharmacy information 20:16:58 sheets? 20:17:01 A. Yes. 20:17:01 Q. Okay. And who else was 20:17:03 involved in that? 20:17:05 A. It was a team effort by 20:17:05 suspicious order monitoring team members at 20:17:10 that time. 20:17:12 Q. Okay. Okay. I think we'll go 20:17:12 back in our questioning just a little bit 20:17:44 here. 20:17:48 (Mallinckrodt-Harper Exhibit 49 20:17:55 marked for identification.) 20:17:56 QUESTIONS BY MS. HERZFELD: 20:17:56 Exhibit 49. This one is labeled 20:18:10 MNK-T1_0004592727. 20:18:15 Is this your handwriting, 20:18:15	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Form. Foundation. 20:19:10  MS. HERZFELD: I'm going to 20:19:12  object to your objection because 20:19:12  you're not a party in our case. 20:19:13  MS. FIX MEYER: Okay. 20:19:15  THE WITNESS: Yes. 20:19:16  QUESTIONS BY MS. HERZFELD: 20:19:19  Q. Okay? And do you see Tennessee 20:19:20  pharmacies on this list? 20:19:21  A. Yes. 20:19:22  Q. Okay. And which pharmacies do 20:19:23  you see that are located in Tennessee on this 20:19:26  list? 20:19:28  A. I see Riggs Drug. 20:19:31  A. And, oh, Riggs Drug again. 20:19:32  Q. Yes, ma'am. 20:19:33  A. And Kinser drugstore. 20:19:39  Q. Okay. And do you know what 20:19:41  that shaded area, pharmacy 90-day review from 20:19:42  previous meeting, means? 20:19:46  A. Yes. 20:19:47  Q. What does it mean? 20:19:48
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1		_	
	Page 554		Page 556
1	pharmacies, and they were doing additional 20:19:57	1	20121110
2	review or performing due diligence or to 20:20:02	2	Do you see that list? 20:21:47
3	some extent, and that we were going to 20:20:06	3	A. 592731? 20:21:48
4	revisit these pharmacies on our next 20:20:08	4	Q. Yes, ma'am. 20:21:55
5	quarterly review. 20:20:10	5	A. Yes. 20:21:55
6	MS. FIX MEYER: Objection. 20:20:11	6	Q. Okay. And so this is Cardinal 20:21:56
7	Form. Foundation. 20:20:12	7	oxycodone 30 multi-distributor pharmacies as 20:21:58
8	MS. HERZFELD: Same objection. 20:20:13	8	of March 2012. 20:22:02
9	QUESTIONS BY MS. HERZFELD: 20:20:14	9	Did I read that correctly? 20:22:04
10	Q. Pharmacies to be reviewed in 20:20:14	10	A. Yes. 20:22:06
11	quarter 3 CY '12 is that bottom group. 20:20:16	11	Q. Okay. And is that your 20:22:08
12	What does that mean? 20:20:21	12	handwriting to the right? 20:22:09
13	MS. FIX MEYER: Objection. 20:20:24	13	A. Yes. 20:22:10
14	Form. Foundation. 20:20:25	14	Q. And what does that say? 20:22:11
15	MS. HERZFELD: Same objection. 20:20:25	15	A. It says, "Rock 3 CAH," which is 20:22:12
16	I'm just going to have a 20:20:26	16	the abbreviation for Cardinal Health, 20:22:20
17	standing objection to any objections 20:20:27	17	"terminated December 2, 2011." 20:22:23
18	from Cardinal's counsel. Cardinal has 20:20:29	18	Q. Okay. And then underneath 20:22:25
19	not cross-noticed us in this 20:20:31	19	that? 20:22:27
20	deposition, nor is Cardinal part of 20:20:34	20	A. "Bellco picked them up." 20:22:27
21	our case. So our objection is 20:20:36	21	Q. Okay. Do you know what any of 20:22:30
22	Cardinal doesn't have standing to 20:20:39	22	that means? 20:22:31
23	object. 20:20:40	23	A. No. 20:22:32
24	QUESTIONS BY MS. HERZFELD: 20:20:41	24	Q. Okay. And then looking at this 20:22:33
25	Q. You can go ahead. 20:20:41	25	list, it looks like there are one, two on 20:22:35
	Page 555		Page 557
1	A. So it means what it says. 20:20:42	1	
2	These were the pharmacies that we would 20:20:45	2	Do you see that? 20:22:41
3			
	discuss with Cardinal at that particular next 20:20:48	3	A. Just a moment, please. 20:22:42
4	meeting. 20:20:52	4	Q. Yeah, sure. 20:22:44
4 5	meeting. 20:20:52 Q. Okay. And what does your 20:20:53	4 5	<ul><li>Q. Yeah, sure. 20:22:44</li><li>A. Yes. 20:22:45</li></ul>
	meeting. 20:20:52  Q. Okay. And what does your 20:20:53 handwriting here say? 20:20:56	4	<ul> <li>Q. Yeah, sure. 20:22:44</li> <li>A. Yes. 20:22:45</li> <li>Q. Okay. And those are Riggs in 20:22:47</li> </ul>
5	meeting. 20:20:52  Q. Okay. And what does your 20:20:53  handwriting here say? 20:20:56  A. It says, "Riggs not related." 20:20:57	4 5	<ul> <li>Q. Yeah, sure. 20:22:44</li> <li>A. Yes. 20:22:45</li> <li>Q. Okay. And those are Riggs in 20:22:47</li> <li>La Follette, Tennessee, and Riggs Drug in 20:22:50</li> </ul>
5	meeting. 20:20:52  Q. Okay. And what does your 20:20:53  handwriting here say? 20:20:56  A. It says, "Riggs not related." 20:20:57  Q. Okay. And what does that mean? 20:20:59	4 5 6	Q. Yeah, sure. 20:22:44  A. Yes. 20:22:45  Q. Okay. And those are Riggs in 20:22:47  La Follette, Tennessee, and Riggs Drug in 20:22:50  Powell, Tennessee; is that right? 20:22:53
5 6 7	meeting. 20:20:52  Q. Okay. And what does your 20:20:53 handwriting here say? 20:20:56  A. It says, "Riggs not related." 20:20:57  Q. Okay. And what does that mean? 20:20:59  A. I do not know. 20:21:01	4 5 6 7	Q. Yeah, sure. 20:22:44 A. Yes. 20:22:45 Q. Okay. And those are Riggs in 20:22:47 La Follette, Tennessee, and Riggs Drug in 20:22:50 Powell, Tennessee; is that right? 20:22:53 A. Yes. 20:22:54
5 6 7 8	meeting. 20:20:52  Q. Okay. And what does your 20:20:53 handwriting here say? 20:20:56  A. It says, "Riggs not related." 20:20:57  Q. Okay. And what does that mean? 20:20:59  A. I do not know. 20:21:01  Q. Okay. And then what does your 20:21:04	4 5 6 7 8	Q. Yeah, sure. 20:22:44 A. Yes. 20:22:45 Q. Okay. And those are Riggs in 20:22:47 La Follette, Tennessee, and Riggs Drug in 20:22:50 Powell, Tennessee; is that right? 20:22:53 A. Yes. 20:22:54 Q. And so they've been identified 20:22:54
5 6 7 8 9 10	meeting. 20:20:52  Q. Okay. And what does your 20:20:53 handwriting here say? 20:20:56  A. It says, "Riggs not related." 20:20:57  Q. Okay. And what does that mean? 20:20:59  A. I do not know. 20:21:01  Q. Okay. And then what does your 20:21:04 handwriting down below say? 20:21:05	4 5 6 7 8	Q. Yeah, sure. 20:22:44  A. Yes. 20:22:45  Q. Okay. And those are Riggs in 20:22:47  La Follette, Tennessee, and Riggs Drug in 20:22:50  Powell, Tennessee; is that right? 20:22:53  A. Yes. 20:22:54  Q. And so they've been identified 20:22:54  as getting oxycodone 30 from multi 20:22:56
5 6 7 8 9	meeting. 20:20:52  Q. Okay. And what does your 20:20:53 handwriting here say? 20:20:56  A. It says, "Riggs not related." 20:20:57  Q. Okay. And what does that mean? 20:20:59  A. I do not know. 20:21:01  Q. Okay. And then what does your 20:21:04 handwriting down below say? 20:21:05  A. "Cardinal owns SPS, Specialty 20:21:07	4 5 6 7 8 9 10 11	Q. Yeah, sure. 20:22:44  A. Yes. 20:22:45  Q. Okay. And those are Riggs in 20:22:47  La Follette, Tennessee, and Riggs Drug in 20:22:50  Powell, Tennessee; is that right? 20:22:53  A. Yes. 20:22:54  Q. And so they've been identified 20:22:54  as getting oxycodone 30 from multi 20:22:56  multiple distributors; is that right? 20:22:59
5 6 7 8 9 10	meeting. 20:20:52  Q. Okay. And what does your 20:20:53 handwriting here say? 20:20:56  A. It says, "Riggs not related." 20:20:57 Q. Okay. And what does that mean? 20:20:59 A. I do not know. 20:21:01 Q. Okay. And then what does your 20:21:04 handwriting down below say? 20:21:05 A. "Cardinal owns SPS, Specialty 20:21:07 Pharmacy Services." 20:21:12	4 5 6 7 8 9 10	Q. Yeah, sure. 20:22:44 A. Yes. 20:22:45 Q. Okay. And those are Riggs in 20:22:47 La Follette, Tennessee, and Riggs Drug in 20:22:50 Powell, Tennessee; is that right? 20:22:53 A. Yes. 20:22:54 Q. And so they've been identified 20:22:54 as getting oxycodone 30 from multi 20:22:56 multiple distributors; is that right? 20:22:59 A. Yes. 20:23:02
5 6 7 8 9 10 11	meeting.       20:20:52         Q.       Okay. And what does your       20:20:53         handwriting here say?       20:20:56         A.       It says, "Riggs not related."       20:20:57         Q.       Okay. And what does that mean?       20:20:59         A.       I do not know.       20:21:01         Q.       Okay. And then what does your       20:21:04         handwriting down below say?       20:21:05         A.       "Cardinal owns SPS, Specialty       20:21:07         Pharmacy Services."       20:21:12         Q.       Okay. And what does that mean?       20:21:12	4 5 6 7 8 9 10 11	Q. Yeah, sure. 20:22:44  A. Yes. 20:22:45  Q. Okay. And those are Riggs in 20:22:47  La Follette, Tennessee, and Riggs Drug in 20:22:50  Powell, Tennessee; is that right? 20:22:53  A. Yes. 20:22:54  Q. And so they've been identified 20:22:54  as getting oxycodone 30 from multi 20:22:56  multiple distributors; is that right? 20:22:59  A. Yes. 20:23:02  Q. Okay. And so looking at the 20:23:02
5 6 7 8 9 10 11 12 13	meeting.       20:20:52         Q. Okay. And what does your       20:20:53         handwriting here say?       20:20:56         A. It says, "Riggs not related."       20:20:57         Q. Okay. And what does that mean?       20:20:59         A. I do not know.       20:21:01         Q. Okay. And then what does your       20:21:04         handwriting down below say?       20:21:05         A. "Cardinal owns SPS, Specialty       20:21:07         Pharmacy Services."       20:21:12         Q. Okay. And what does that mean?       20:21:12         A. I don't know.       20:21:14	4 5 6 7 8 9 10 11 12 13	Q. Yeah, sure. 20:22:44  A. Yes. 20:22:45  Q. Okay. And those are Riggs in 20:22:47  La Follette, Tennessee, and Riggs Drug in 20:22:50  Powell, Tennessee; is that right? 20:22:53  A. Yes. 20:22:54  Q. And so they've been identified 20:22:54  as getting oxycodone 30 from multi 20:22:56  multiple distributors; is that right? 20:22:59  A. Yes. 20:23:02  Q. Okay. And so looking at the 20:23:02  Riggs Drug, the first one in La Follette, 20:23:04
5 6 7 8 9 10 11 12 13	meeting.       20:20:52         Q.       Okay. And what does your       20:20:53         handwriting here say?       20:20:56         A.       It says, "Riggs not related."       20:20:57         Q.       Okay. And what does that mean?       20:20:59         A.       I do not know.       20:21:01         Q.       Okay. And then what does your       20:21:04         handwriting down below say?       20:21:05         A.       "Cardinal owns SPS, Specialty       20:21:07         Pharmacy Services."       20:21:12         Q.       Okay. And what does that mean?       20:21:12	4 5 6 7 8 9 10 11 12 13 14	Q. Yeah, sure. 20:22:44  A. Yes. 20:22:45  Q. Okay. And those are Riggs in 20:22:47  La Follette, Tennessee, and Riggs Drug in 20:22:50  Powell, Tennessee; is that right? 20:22:53  A. Yes. 20:22:54  Q. And so they've been identified 20:22:54  as getting oxycodone 30 from multi 20:22:56  multiple distributors; is that right? 20:22:59  A. Yes. 20:23:02  Q. Okay. And so looking at the 20:23:02  Riggs Drug, the first one in La Follette, 20:23:04  according to this chart it says they were 20:23:07
5 6 7 8 9 10 11 12 13 14 15	meeting.       20:20:52         Q. Okay. And what does your       20:20:53         handwriting here say?       20:20:56         A. It says, "Riggs not related."       20:20:57         Q. Okay. And what does that mean?       20:20:59         A. I do not know.       20:21:01         Q. Okay. And then what does your       20:21:04         handwriting down below say?       20:21:05         A. "Cardinal owns SPS, Specialty       20:21:07         Pharmacy Services."       20:21:12         Q. Okay. And what does that mean?       20:21:12         A. I don't know.       20:21:14	4 5 6 7 8 9 10 11 12 13 14 15	Q. Yeah, sure. 20:22:44  A. Yes. 20:22:45  Q. Okay. And those are Riggs in 20:22:47  La Follette, Tennessee, and Riggs Drug in 20:22:50  Powell, Tennessee; is that right? 20:22:53  A. Yes. 20:22:54  Q. And so they've been identified 20:22:54  as getting oxycodone 30 from multi 20:22:56  multiple distributors; is that right? 20:22:59  A. Yes. 20:23:02  Q. Okay. And so looking at the 20:23:02  Riggs Drug, the first one in La Follette, 20:23:04
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5 6 7 8 9 10 11 12 13 14 15 16 17 18	meeting.       20:20:52         Q. Okay. And what does your       20:20:53         handwriting here say?       20:20:56         A. It says, "Riggs not related."       20:20:57         Q. Okay. And what does that mean?       20:20:59         A. I do not know.       20:21:01         Q. Okay. And then what does your       20:21:04         handwriting down below say?       20:21:05         A. "Cardinal owns SPS, Specialty       20:21:07         Pharmacy Services."       20:21:12         Q. Okay. And what does that mean?       20:21:12         A. I don't know.       20:21:14         Q. Okay. Do you know what       20:21:14         Specialty Pharmacy Services is?       20:21:17         A. No.       20:21:18	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. Yeah, sure. 20:22:44  A. Yes. 20:22:45  Q. Okay. And those are Riggs in 20:22:47  La Follette, Tennessee, and Riggs Drug in 20:22:50  Powell, Tennessee; is that right? 20:22:53  A. Yes. 20:22:54  Q. And so they've been identified 20:22:54  as getting oxycodone 30 from multi 20:22:56  multiple distributors; is that right? 20:22:59  A. Yes. 20:23:02  Q. Okay. And so looking at the 20:23:02  Riggs Drug, the first one in La Follette, 20:23:04  according to this chart it says they were 20:23:07  receiving oxycodone 30 from Cardinal and 20:23:09  Masters. 20:23:11
5 6 7 8 9 10 11 12 13 14 15 16 17 18	meeting.       20:20:52         Q. Okay. And what does your       20:20:53         handwriting here say?       20:20:56         A. It says, "Riggs not related."       20:20:57         Q. Okay. And what does that mean?       20:20:59         A. I do not know.       20:21:01         Q. Okay. And then what does your       20:21:04         handwriting down below say?       20:21:05         A. "Cardinal owns SPS, Specialty       20:21:07         Pharmacy Services."       20:21:12         Q. Okay. And what does that mean?       20:21:12         A. I don't know.       20:21:14         Q. Okay. Do you know what       20:21:14         Specialty Pharmacy Services is?       20:21:17         A. No.       20:21:18         Q. Okay. And flip with me to the       20:21:19	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. Yeah, sure. 20:22:44 A. Yes. 20:22:45 Q. Okay. And those are Riggs in 20:22:47 La Follette, Tennessee, and Riggs Drug in 20:22:50 Powell, Tennessee; is that right? 20:22:53 A. Yes. 20:22:54 Q. And so they've been identified 20:22:54 as getting oxycodone 30 from multi 20:22:56 multiple distributors; is that right? 20:22:59 A. Yes. 20:23:02 Q. Okay. And so looking at the 20:23:02 Riggs Drug, the first one in La Follette, 20:23:04 according to this chart it says they were 20:23:07 receiving oxycodone 30 from Cardinal and 20:23:09 Masters. 20:23:11 MS. FIX MEYER: Objection. 20:23:13
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	meeting.       20:20:52         Q. Okay. And what does your       20:20:53         handwriting here say?       20:20:56         A. It says, "Riggs not related."       20:20:57         Q. Okay. And what does that mean?       20:20:59         A. I do not know.       20:21:01         Q. Okay. And then what does your       20:21:04         handwriting down below say?       20:21:05         A. "Cardinal owns SPS, Specialty       20:21:07         Pharmacy Services."       20:21:12         Q. Okay. And what does that mean?       20:21:12         A. I don't know.       20:21:14         Q. Okay. Do you know what       20:21:14         Specialty Pharmacy Services is?       20:21:17         A. No.       20:21:18         Q. Okay. And flip with me to the       20:21:19         next page.       20:21:27	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. Yeah, sure. 20:22:44 A. Yes. 20:22:45 Q. Okay. And those are Riggs in 20:22:47 La Follette, Tennessee, and Riggs Drug in 20:22:50 Powell, Tennessee; is that right? 20:22:53 A. Yes. 20:22:54 Q. And so they've been identified 20:22:54 as getting oxycodone 30 from multi 20:22:56 multiple distributors; is that right? 20:22:59 A. Yes. 20:23:02 Q. Okay. And so looking at the 20:23:02 Riggs Drug, the first one in La Follette, 20:23:04 according to this chart it says they were 20:23:07 receiving oxycodone 30 from Cardinal and 20:23:09 Masters. 20:23:11 MS. FIX MEYER: Objection. 20:23:13 Form. 20:23:13
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	meeting.       20:20:52         Q. Okay. And what does your       20:20:53         handwriting here say?       20:20:56         A. It says, "Riggs not related."       20:20:57         Q. Okay. And what does that mean?       20:20:59         A. I do not know.       20:21:01         Q. Okay. And then what does your       20:21:04         handwriting down below say?       20:21:05         A. "Cardinal owns SPS, Specialty       20:21:07         Pharmacy Services."       20:21:12         Q. Okay. And what does that mean?       20:21:12         A. I don't know.       20:21:14         Q. Okay. Do you know what       20:21:14         Specialty Pharmacy Services is?       20:21:17         A. No.       20:21:18         Q. Okay. And flip with me to the       20:21:19         next page.       20:21:27         Is that your handwriting on       20:21:28	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Yeah, sure. 20:22:44  A. Yes. 20:22:45  Q. Okay. And those are Riggs in 20:22:47  La Follette, Tennessee, and Riggs Drug in 20:22:50  Powell, Tennessee; is that right? 20:22:53  A. Yes. 20:22:54  Q. And so they've been identified 20:22:54  as getting oxycodone 30 from multi 20:22:56  multiple distributors; is that right? 20:22:59  A. Yes. 20:23:02  Q. Okay. And so looking at the 20:23:02  Riggs Drug, the first one in La Follette, 20:23:04  according to this chart it says they were 20:23:07  receiving oxycodone 30 from Cardinal and 20:23:09  Masters. 20:23:11  MS. FIX MEYER: Objection. 20:23:13  Form. 20:23:13  QUESTIONS BY MS. HERZFELD: 20:23:13
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	meeting.       20:20:52         Q. Okay. And what does your       20:20:53         handwriting here say?       20:20:56         A. It says, "Riggs not related."       20:20:57         Q. Okay. And what does that mean?       20:20:59         A. I do not know.       20:21:01         Q. Okay. And then what does your       20:21:04         handwriting down below say?       20:21:05         A. "Cardinal owns SPS, Specialty       20:21:07         Pharmacy Services."       20:21:12         Q. Okay. And what does that mean?       20:21:12         A. I don't know.       20:21:14         Q. Okay. Do you know what       20:21:14         Specialty Pharmacy Services is?       20:21:17         A. No.       20:21:18         Q. Okay. And flip with me to the       20:21:19         next page.       20:21:27         Is that your handwriting on       20:21:28         this document as well?       20:21:29	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Yeah, sure. 20:22:44 A. Yes. 20:22:45 Q. Okay. And those are Riggs in 20:22:47 La Follette, Tennessee, and Riggs Drug in 20:22:50 Powell, Tennessee; is that right? 20:22:53 A. Yes. 20:22:54 Q. And so they've been identified 20:22:54 as getting oxycodone 30 from multi 20:22:56 multiple distributors; is that right? 20:22:59 A. Yes. 20:23:02 Q. Okay. And so looking at the 20:23:02 Riggs Drug, the first one in La Follette, 20:23:04 according to this chart it says they were 20:23:07 receiving oxycodone 30 from Cardinal and 20:23:09 Masters. 20:23:11 MS. FIX MEYER: Objection. 20:23:13 Form. 20:23:13 QUESTIONS BY MS. HERZFELD: 20:23:14
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	meeting.       20:20:52         Q. Okay. And what does your       20:20:53         handwriting here say?       20:20:56         A. It says, "Riggs not related."       20:20:57         Q. Okay. And what does that mean?       20:20:59         A. I do not know.       20:21:01         Q. Okay. And then what does your       20:21:04         handwriting down below say?       20:21:05         A. "Cardinal owns SPS, Specialty       20:21:07         Pharmacy Services."       20:21:12         Q. Okay. And what does that mean?       20:21:12         A. I don't know.       20:21:14         Q. Okay. Do you know what       20:21:14         Specialty Pharmacy Services is?       20:21:17         A. No.       20:21:18         Q. Okay. And flip with me to the       20:21:19         next page.       20:21:27         Is that your handwriting on       20:21:28         this document as well?       20:21:30	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Yeah, sure. 20:22:44 A. Yes. 20:22:45 Q. Okay. And those are Riggs in 20:22:47 La Follette, Tennessee, and Riggs Drug in 20:22:50 Powell, Tennessee; is that right? 20:22:53 A. Yes. 20:22:54 Q. And so they've been identified 20:22:54 as getting oxycodone 30 from multi 20:22:56 multiple distributors; is that right? 20:22:59 A. Yes. 20:23:02 Q. Okay. And so looking at the 20:23:02 Riggs Drug, the first one in La Follette, 20:23:04 according to this chart it says they were 20:23:07 receiving oxycodone 30 from Cardinal and 20:23:09 Masters. 20:23:11 MS. FIX MEYER: Objection. 20:23:13 Form. 20:23:13 QUESTIONS BY MS. HERZFELD: 20:23:14 MS. HERZFELD: Standing 20:23:14

QUESTIONS BY MS. HERZFELD:		Page 558	П	Page 560
2	1	_	1	
3 Temnessee, it says they were receiving 20-23-21 4 oxycordone 30 from Cardinal, Masters and 20-23-23 4 5 HD Smith Wholesale. 20-23-26 5 HB Smith Wholesale. 20-23-26 5 MS. HERKEFELD: Same objection. 20-23-28 MS. HERKEFELD: 20-23-31 9 QUESTIONS BY MS. HERKEFELD: 20-23-31 10 Q. Am I reading that correctly? 20-23-31 10 Q. Okay. And was this report run 20-23-32 11 Q. Okay. And was this report run 20-23-32 12 every year? 20-23-41 14 frequency. 20-23-41 15 Q. Okay. Okay. Okay. Then the next 20-23-41 14 frequency. 20-23-42 15 one, unfortunately, is really supposed to be 20-23-43 16 one, unfortunately, is really supposed to be 20-23-43 17 another exhibit. 20-23-56 21 (Mallinckrodt-Harper Exhibit 50 20-23-56 22 markef of identification.) 20-23-56 23 MS. HERZFELD: Keep that. 20-23-56 24 Okay. you can put that one to the 20-23-56 25 side. Then what we'll do is make this 20-23-42 5 clear, what's the Bates number on the 20-23-35 14 MR. O'CONNOR: Just to be 20-24-35 46 tell by u. Ir's MK-FLID 10-04-592758 and 20-24-35 14 missing from this document. 20-24-35 15 MS. HERZFELD: Stokes and I 20-22-40 15 MS. HERZFELD: I'd document. 20-23-50 20-25-60 4 off-the from the the 20-23-53 2 15 MS. HERZFELD: I'd document. 20-24-35 16 MS. HERZFELD: I'd document. 20-24-35 17 move along. 20-25-03 20-25-04 20 document that's — 20-25-04 20 document that's — 20-25-04 20 document that's — 20-25-06 20 document that's — 20-25-07				
My first question on these is 20:25:20				
5 HD Smith Wholessale.   20:23:26   6 MS. FIX MEYER: Same objection.   20:23:28   6 MS. FIX MEYER: Same objection.   20:23:28   7 MS. HERZFELD: Same objection.   20:23:28   7 Q. May. And when do you   20:25:23   7 Q. May. And when do you   20:25:23   7 Q. May. And when do you   20:25:23   7 Q. May. And when do you   20:25:33   7 Q. May. And was this report run   20:23:32   11 Q. May. And was this report run   20:23:32   11 Q. May. And was this report run   20:23:32   12 every year?   20:23:44   13 A. Tm not certain of the   20:23:41   14 frequency.   20:23:42   15 Q. May. May. Then the next   20:23:43   15 Q. May. May. Then the next   20:23:43   16 Q. May. May. Then the next   20:23:43   17 another exhibit.   20:23:54   18 MS. HERZFELD: Should we just   20:23:55   19 mark it separate? Lefs just mark it   20:23:56   20 marked for identification.)   20:23:56   21 marked for identification.)   20:23:56   22 marked for identification.)   20:23:56   23 MS. HERZFELD: Keep that.   20:23:56   24 MR. O'CONNOR: Just to be   20:24:32   24 MR. O'CONNOR: Just to be   20:24:32   25 clear, what's the Bates number on the   20:24:33   26 clear, what's the Bates numbers on the   20:24:35   27 move along.   20:24:55   27 move along.   20:25:03   20:25:03   20:25:03   20:25:03   20:25:03   20:25:03   20:25:03   20:25:03   20:25:04   20:25:07   20:25:03   20:25:00   20:2				•
MS. FIX MEYER: Same objection. 20:23:28   MS. HIRR/FEID: Same objection. 20:23:29   Q. Okay. And whendo you		,		· · ·
MS. HERZFELD: Same objection.   20:23:29   8   QUESTIONS BY MS. HERZFELD:   20:23:31   9   Q. Am I reading that correctly?   20:23:31   10   A. Yes.   20:23:32   11   Q. Okay. And was this report run   20:23:32   12   every year?   20:23:40   13   A. Tm not certain of the   20:23:41   14   frequency.   20:23:41   15   Q. Okay. Okay. Then the next   20:23:43   16   one, unfortunately, is really supposed to be   20:23:43   16   one, unfortunately, is really supposed to be   20:23:43   17   another exhibit.   20:23:35   18   MS. HERZFELD: Should we just   20:23:52   19   mark it separate? Lefs just mark it   20:23:56   22   marked for identification.   20:23:56   23   MS. HERZFELD: Keep that.   20:23:56   24   Okay. you can put that one to the   20:23:56   24   Okay. you can put that one to the   20:23:56   25   side. Then what we'll do is make this   20:24:20   25   Okay. So the next exhibit. Okay?   20:24:22   Okay. So the next exhibit is   20:24:23   3   Okay. So the next exhibit is   20:24:23   3   Okay. So the next exhibit is   20:24:23   3   Okay. So the next exhibit. Okay?   20:24:22   20   Okay. So the next exhibit is   20:24:23   3   Okay. So the next exhibit is   20:24:35   3   Okay. So the next exhibit is   20:24:35   3   Okay. So the next exhibit.   20:24:53   3   Okay. So the next exhibit.   20:26:04   3   Okay. So the next exhibit.   20:	6			
8   QUESTIONS BY MS. HERZFELD: 20:23:31   9   Q. Am I reading that correctly? 20:23:31   9   Q. Am I reading that correctly? 20:23:32   10   A. Yes. 20:23:30   11   Q. Okay. And was this report run 20:23:32   12   every year? 20:23:40   12   information sheets for Riggs pharmacy? 20:25:37   13   A. I'm not certain of the 20:23:41   14   frequency. 20:23:42   15   Q. Okay. Okay. Then the next 20:23:43   16   Q. Okay. Riggs 20:25:37   17   A is some other chart. 20:25:38   17   A is some other chart. 20:25:38   18   Q. Yeah, ignore that. 20:25:39   19   A. Okay. 20:25:41   19   Mark it is exparate? Let's just mark it 20:23:56   19   A. Okay. 20:25:41   20:23:56   21   (Mallinckrodt-Harper Exhibit 50   20:23:56   22   Mark Histone as Exhibit 50   20:23:56   23   MS. HERZFELD: Keep that. 20:23:56   24   Okay, you can put that one to the 20:23:56   25   side. Then what we'll do is make this 20:24:22   26   Okay. So the next exhibit is 20:24:23   27   Okay. So the next exhibit is 20:24:23   27   Okay. So the next exhibit is 20:24:23   28   Okay. So the next exhibit is 20:24:23   29   Okay. So the next exhibit is 20:24:23   29   Okay. So the next exhibit is 20:24:23   20:24:35   20:2		· · · · · · · · · · · · · · · · · · ·		
9 sheets? 20:25:30 10 A. Yes. 20:23:31 11 Q. Okay. And was this report run 20:23:32 12 every year? 20:23:41 13 A. I'm not certain of the 20:23:41 14 frequency. 20:23:42 15 Q. Okay. Okay. Then the next 20:23:43 16 one, unfortunately, is really supposed to be 20:23:48 17 another exhibit. 18 MS. HERZFELD: Should we just 20:23:53 20 separate. 20:23:54 21 (Mallinckrodt-Harper Exhibit to 20:23:53 22 mark it separate? Let's just mark it 20:23:53 23 MS. HERZFELD: Keep that. 20:23:56 24 Okay. you can put that one to the 20:23:56 25 side. Then what we'll do is make this 20:24:20 26 Okay. So the next exhibit is 20:24:20 27 Okay. So the next exhibit is 20:24:25 28 MR. O'CONNOR: Just to be 20:24:35 29 mark this one as Exhibit 50, 20:24:25 20 Okay. So the next exhibit is 20:24:20 21 Okay. So the next exhibit is 20:24:20 22 Okay. So the next exhibit is 20:24:20 23 So. Mark this one as Exhibit 50, 20:24:25 24 Okay. So the next exhibit is 20:24:20 25 Okay. So the next exhibit is 20:24:20 26 Okay. So the next exhibit is 20:24:20 27 Okay. So the next exhibit is 20:23:56 28 MR. O'CONNOR: Just to be 20:24:32 39 Okay. So the next exhibit is 20:24:20 40 Okay. So that one to be 20:23:56 41 MR. O'CONNOR: Just to be 20:24:35 50 Elear, what's the Bates number on the 20:24:35 51 Elly out. It short, right now? 20:24:35 51 Elly out. It short, right now? 20:24:35 51 MS. HERZFELD: I'm going to 20:24:49 51 MS. HERZFELD: I'm going to 20:24:59 51 MS. HERZFELD: I'm going to 20:24:51 51 MR. O'CONNOR: Bust observe 20:24:49 51 MS. HERZFELD: It does, and I 20:25:01 52 MS. HERZFELD: I'm going to 20:24:59 53 MS. HERZFELD: I'm going to 20:24:59 54 MR. O'CONNOR: Well, I would 20:25:00 55 MS. HERZFELD: I'm going to 20:24:59 56 MS. HERZFELD: I'm going to 20:24:59 57 MS. HERZFELD: Repair the ready information sheet. 20:26:00 58 MS. HERZFELD: Yeah, objection 20:25:00 59 MS. HERZFELD: Yeah, objection 20:25:00 50 MS. HERZFELD: Yeah, objection 20:25:00 51 MS. HERZFELD: Yeah, objection 20:25:00 52 MS. HERZFELD: Yeah, objection 20:25:00 53 MS. HERZFELD: Yeah, obj				
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11   Q. Okay. And was this report run   20:23:32   12 every year?   20:23:40   12 information sheets for Riggs pharmacy?   20:25:33   13   A. Tm not certain of the   20:23:41   13   A. Yes.   20:25:37   15   Q. Okay. Okay. Then the next   20:23:43   15   Q. Okay. Okay. Then the next   20:23:43   16   One, unfortunately, is really supposed to be   20:23:48   16   Q. Okay. Riggs   20:25:37   17   another exhibit.   20:23:49   17   A is some other chart.   20:25:39   18   Q. Yeah, ignore that.   20:25:41   20:25:56   20   Okay. So that would be Riggs   20:25:40   20:25:4				
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17   another exhibit.   20:23:49   18   MS. HERZFELD: Should we just   20:23:52   18   Q. Yeah, ignore that.   20:25:40   20:25:40   20:25:41   20:25:42   20:25:42   20:25:56   20   Q. Okay. So that would be Riggs   20:25:42   20:25:56   24   A. Yes.   20:25:52   25:25:25:52   25:25:25:25:25:25:25:25:25:25:25:25:25:2	16		16	-
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21	20		20	•
22 marked for identification.)   20:23:56   22 Jacksboro and Riggs pharmacy in Powell.   20:25:51	21	•	21	
MS. HERZFELD: Keep that.   20:23:56   23   Tennessee; is that right?   20:25:51	22		22	
24	23	•	23	
Page 559	24		24	-
1 the next exhibit. Okay? 20:24:22 2 Okay. So the next exhibit is 20:24:23 3 50. Mark this one as Exhibit 50. 20:24:25 4 MR. O'CONNOR: Just to be 20:24:32 5 clear, what's the Bates number on the 20:24:33 6 exhibit you're marking right now? 20:24:35 7 MS. HERZFELD: I'm going to 20:24:36 8 tell you. It's MNK-TI_0004592758 and 20:24:37 9 2756 and 2754 of this collective 20:24:49 10 exhibit. 20:24:53 11 MR. O'CONNOR: Just observe 20:24:53 12 that it appears to skip Bates numbers, 20:24:55 13 MR. O'CONNOR: Just observe 20:24:59 14 missing from this document. 20:24:59 15 MS. HERZFELD: It does, and I 20:25:04 16 don't know why that is, but we'll just 20:25:02 17 move along. 20:25:03 18 MR. O'CONNOR: Well, I would 20:25:04 19 just object to the extent this isn't a 20:25:08 20 Cokay. And doyou handwritten notes. It goes 20:25:55 21 through, it looks like, portions of the 20:25:55 22 through, it looks like, portions of the 20:25:55 24 through, it looks like, portions of the 20:25:59 24 through, it looks like, portions of the 20:25:59 25:57 26 through, it looks like, portions of the 20:26:30 20:26:00 20:25:59 20:26:00 20:	25		25	Q. Okay. And looking at this, 20:25:53
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3         50. Mark this one as Exhibit 50.         20:24:25         3         pharmacy information sheet.         20:25:59           4         MR. O'CONNOR: Just to be         20:24:32         4         Where did you get this         20:26:00           5         clear, what's the Bates number on the         20:24:33         5         information?         20:26:02           6         exhibit you're marking right now?         20:24:36         6         A. In a conversation with a         20:26:09           8         tell you. It's MNK-T1_0004592758 and         20:24:37         8         Q. Okay. And you would agree with         20:26:09           9         2756 and 2754 of this collective         20:24:49         9         me in those three pages of your handwritten         20:26           10         exhibit.         20:24:53         10         notes about the various Riggs that not every         20:26           12         that it appears to skip Bates numbers,         20:24:55         12         filled out; is that correct?         20:26:24           13         which suggests there might be pages         20:24:59         14         Q. Okay. And did Mallinckrodt, to         20:26:24           14         missing from this document.         20:25:00         15         Q. Okay. And did Mallinckrodt, to         20:26:34 <td></td> <td>·</td> <th></th> <td></td>		·		
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MS. HERZFELD: I'm going to 20:24:36 tell you. It's MNK-T1_0004592758 and 20:24:37 2756 and 2754 of this collective 20:24:49 exhibit. 20:24:53 MR. O'CONNOR: Just observe 20:24:53 that it appears to skip Bates numbers, 20:24:55 which suggests there might be pages 20:24:59 MS. HERZFELD: It does, and I 20:25:00 MS. HERZFELD: It does, and I 20:25:02 MR. O'CONNOR: Well, I would 20:25:04 MR. O'CONNOR: As it's 20:25:08 MR. O'CONNOR: As it's 20:25:08  MR. O'CONNOR: As it's 20:25:08  Q. Okay. And you would agree with 20:26:09 me in those three pages of your handwritten 20:26 motes about the various Riggs that not every 20:24  Me in those three pages of your handwritten 20:26  Motes about the various Riggs that not every 20:24  Me in those three pages of your handwritten 20:26  Me in those three pages of				
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which suggests there might be pages 20:24:59  missing from this document. 20:24:59  MS. HERZFELD: It does, and I 20:25:00  don't know why that is, but we'll just 20:25:02  move along. 20:25:03  MR. O'CONNOR: Well, I would 20:25:04  document that's 20:25:06  MS. HERZFELD: Yeah, objection 20:25:07  moted. 20:26:24  A. Correct. 20:26:24  Q. Okay. And did Mallinckrodt, to 20:26:26  any of these three Riggs pharmacies? 20:26:34  A. Not to my knowledge. 20:26:34  Q. Okay. And do you have any 20:26:34  Riggs pharmacies at all? 20:26:37  A. This pharmacy information sheet 20:26:37				
missing from this document. 20:24:59  MS. HERZFELD: It does, and I 20:25:00  don't know why that is, but we'll just 20:25:02  move along. 20:25:03  MR. O'CONNOR: Well, I would 20:25:04  document that's 20:25:06  MS. HERZFELD: Yeah, objection 20:25:07  MS. HERZFELD: Yeah, objection 20:25:08  MR. O'CONNOR: As it's 20:25:08				
MS. HERZFELD: It does, and I 20:25:00   15 your knowledge, ever do any site visits at 20:26   16 don't know why that is, but we'll just 20:25:02   17 move along. 20:25:03   18 MR. O'CONNOR: Well, I would 20:25:04   19 just object to the extent this isn't a 20:25:04   20 document that's 20:25:06   21 MS. HERZFELD: Yeah, objection 20:25:07   22 noted. 20:25:08   23 MR. O'CONNOR: As it's 20:25:08   20				
don't know why that is, but we'll just 20:25:02 move along. 20:25:03  MR. O'CONNOR: Well, I would 20:25:04 just object to the extent this isn't a 20:25:04 document that's 20:25:06  MS. HERZFELD: Yeah, objection 20:25:07 noted. 20:25:08  MR. O'CONNOR: As it's 20:25:08  16 any of these three Riggs pharmacies? 20:26:34  A. Not to my knowledge. 20:26:34  Q. Okay. And do you have any 20:26:37  Precollection of any conversations about the 20:26  Riggs pharmacies at all? 20:26:37  A. This pharmacy information sheet 20:26:37  A. This pharmacy information sheet 20:26:37  Q. Okay. Other than what's 20:26:45				•
move along. 20:25:03   17   A. Not to my knowledge. 20:26:34   18   Q. Okay. And do you have any 20:26:34   19   just object to the extent this isn't a 20:25:04   19   recollection of any conversations about the 20:26:37   20   document that's 20:25:06   20   Riggs pharmacies at all?   20:26:37   21   A. This pharmacy information sheet 20:26:26   22   moted. 20:25:08   22   would have been the product of a discussion. 20:26:45   23   Q. Okay. Other than what's 20:26:45				•
MR. O'CONNOR: Well, I would 20:25:04 just object to the extent this isn't a 20:25:04 document that's 20:25:06 MS. HERZFELD: Yeah, objection 20:25:07 noted. 20:25:08  MR. O'CONNOR: Well, I would 20:25:04 lp recollection of any conversations about the 20:26:37 lp recollection of any conversations about the 2		•		•
just object to the extent this isn't a 20:25:04 document that's 20:25:06  MS. HERZFELD: Yeah, objection 20:25:07 noted. 20:25:08  MR. O'CONNOR: As it's 20:25:08  19 recollection of any conversations about the 20:26 Riggs pharmacies at all? 20:26:37  A. This pharmacy information sheet 20:26:45 would have been the product of a discussion. 20:26:45		-		· -
document that's 20:25:06				
MS. HERZFELD: Yeah, objection 20:25:07 21 A. This pharmacy information sheet 20:26:20 22 noted. 20:25:08 22 would have been the product of a discussion. 20:26:45 23 MR. O'CONNOR: As it's 20:25:08 23 Q. Okay. Other than what's 20:26:45				•
noted. 20:25:08 22 would have been the product of a discussion. 20:25:08 Q. Okay. Other than what's 20:26:45				
23 MR. O'CONNOR: As it's 20:25:08 23 Q. Okay. Other than what's 20:26:45		•		
mamamed. 20.25.11 whiteh down in your handwritten notes on 20.2				•
25 these pharmacy information sheets, do you 20:2		manitamed. 20.23.11		•
25 these pharmacy information sheets, do you 20.2				arese pharmacy information succes, do you 20.20.50

	Page 562		Page 564
1		1	A. Yes. 20:28:57
2	A. No. 20:26:54	2	Q. Okay. Riggs Medical Center. 20:28:58
3	Q. Okay. 20:26:55	3	Do you know if a Riggs Medical Center exists? 20:29:03
4	(Mallinckrodt-Harper Exhibit 51 20:27:22	4	A. I do not. 20:29:05
5	marked for identification.) 20:27:23	5	Q. Okay. Did you do anything to 20:29:06
6	QUESTIONS BY MS. HERZFELD: 20:27:23	6	verify whether a Riggs Medical Center exists? 20:29:08
7	Q. Okay. I'm going to hand you 20:27:23	7	A. No. 20:29:11
8	what we'll mark as Exhibit 51, 20:27:26	8	Q. Okay. What about St. Mary's 20:29:12
9	MNK_TNSTA05350336. 20:27:36	9	Hospital? It says, "near Riggs Medical 20:29:15
10	Okay. Do you recognize this 20:27:43	10	Center and St. Mary's Hospital." 20:29:18
11	document? 20:27:46	11	Do you know how near this 20:29:19
12	A. Yes. 20:27:46	12	pharmacy was to St. Mary's Hospital? 20:29:21
13	Q. Okay. What does it appear to 20:27:47	13	MR. O'CONNOR: Objection to 20:29:24
14	be? 20:27:49	14	form. 20:29:24
15	A. Pharmacy information sheet on 20:27:49	15	THE WITNESS: No. 20:29:24
16	Riggs Drug again. 20:27:54	16	QUESTIONS BY MS. HERZFELD: 20:29:29
17	Q. Okay. And this is the Riggs 20:27:54	17	Q. Okay. Do you know where La 20:29:29
18	Drug in La Follette, Tennessee; is that 20:27:56	18	Follette, Tennessee, is? 20:29:32
19	right? 20:27:59	19	A. No. 20:29:32
20	A. Yes. 20:27:59	20	Q. Do you know where St. Mary's 20:29:33
21	Q. Okay. And that's date 20:27:59	21	Hospital is? 20:29:34
22	10/12/11? 20:28:02	22	A. No. 20:29:34
23	A. Yes. 20:28:02	23	Q. If St. Mary's Hospital is 20:29:35
24	Q. Okay. And if you'll look down 20:28:03	24	45 miles away in Knoxville from La Follette, 20:29:43
25	here at the notes, it says, "Other notes: 20:28:04	25	is that information you would have wanted to 20:29:47
	D #60	_	D
	Page 563		Page 565
1	Explanation of 800 RX total per day. PIC 20:28:06	1	
2	said increases due to physicians switching 20:28:11	2	MR. O'CONNOR: Objection to 20:29:49
3	from hydrocodone APAP mix due to liver 20:28:13	3	form. 20:29:49
4	concerns." 20:28:17	4	THE WITNESS: It's a piece of 20:29:54
5		-	
_	Do you know where that 20:28:18	5	information, but I don't know how many 20:29:55
6	information was obtained? 20:28:19	6	other medical centers, how many other 20:29:57
7	information was obtained? 20:28:19 A. I do not know. 20:28:20	6	other medical centers, how many other 20:29:57 pharmacies, were within that 45 miles. 20:29:59
7 8	information was obtained? 20:28:19  A. I do not know. 20:28:20  Well, the information would 20:28:25	6 7 8	other medical centers, how many other 20:29:57 pharmacies, were within that 45 miles. 20:29:59 So it would have been an additional 20:30:03
7 8 9	information was obtained? 20:28:19  A. I do not know. 20:28:20  Well, the information would 20:28:25 have been provided by Cardinal Health. 20:28:28	6 7 8 9	other medical centers, how many other 20:29:57 pharmacies, were within that 45 miles. 20:29:59 So it would have been an additional 20:30:03 piece of information, but not 20:30:05
7 8 9 10	information was obtained? 20:28:19  A. I do not know. 20:28:20  Well, the information would 20:28:25  have been provided by Cardinal Health. 20:28:28  Q. Okay. And did you do anything 20:28:30	6 7 8 9	other medical centers, how many other 20:29:57 pharmacies, were within that 45 miles. 20:29:59 So it would have been an additional 20:30:03 piece of information, but not 20:30:05 conclusive. 20:30:07
7 8 9 10	information was obtained? 20:28:19  A. I do not know. 20:28:20  Well, the information would 20:28:25  have been provided by Cardinal Health. 20:28:28  Q. Okay. And did you do anything 20:28:30  to verify the information provided to you by 20:28:32	6 7 8 9 10 11	other medical centers, how many other 20:29:57 pharmacies, were within that 45 miles. 20:29:59 So it would have been an additional 20:30:03 piece of information, but not 20:30:05 conclusive. 20:30:07 QUESTIONS BY MS. HERZFELD: 20:30:07
7 8 9 10 11	information was obtained? 20:28:19  A. I do not know. 20:28:20  Well, the information would 20:28:25  have been provided by Cardinal Health. 20:28:28  Q. Okay. And did you do anything 20:28:30  to verify the information provided to you by 20:28:32  Cardinal Health? 20:28:34	6 7 8 9 10 11 12	other medical centers, how many other 20:29:57 pharmacies, were within that 45 miles. 20:29:59 So it would have been an additional 20:30:03 piece of information, but not 20:30:05 conclusive. 20:30:07  QUESTIONS BY MS. HERZFELD: 20:30:07 Q. Okay. But that's information 20:30:08
7 8 9 10 11 12	information was obtained? 20:28:19  A. I do not know. 20:28:20  Well, the information would 20:28:25  have been provided by Cardinal Health. 20:28:28  Q. Okay. And did you do anything 20:28:30  to verify the information provided to you by 20:28:32  Cardinal Health? 20:28:34  A. No. 20:28:35	6 7 8 9 10 11 12	other medical centers, how many other 20:29:57 pharmacies, were within that 45 miles. 20:29:59 So it would have been an additional 20:30:03 piece of information, but not 20:30:05 conclusive. 20:30:07 QUESTIONS BY MS. HERZFELD: 20:30:07 Q. Okay. But that's information 20:30:08 you would have liked to have had in 20:30:09
7 8 9 10 11 12 13	information was obtained? 20:28:19  A. I do not know. 20:28:20  Well, the information would 20:28:25  have been provided by Cardinal Health. 20:28:28  Q. Okay. And did you do anything 20:28:30  to verify the information provided to you by 20:28:32  Cardinal Health? 20:28:34  A. No. 20:28:35  Q. Okay. And did anyone in 20:28:37	6 7 8 9 10 11 12 13	other medical centers, how many other 20:29:57 pharmacies, were within that 45 miles. 20:29:59 So it would have been an additional 20:30:03 piece of information, but not 20:30:05 conclusive. 20:30:07  QUESTIONS BY MS. HERZFELD: 20:30:07 Q. Okay. But that's information 20:30:08 you would have liked to have had in 20:30:09 evaluating this pharmacy? 20:30:11
7 8 9 10 11 12 13 14	information was obtained?  A. I do not know. 20:28:20  Well, the information would 20:28:25  have been provided by Cardinal Health. 20:28:28  Q. Okay. And did you do anything 20:28:30  to verify the information provided to you by 20:28:32  Cardinal Health? 20:28:34  A. No. 20:28:35  Q. Okay. And did anyone in 20:28:37  Mallinckrodt, to your knowledge, do anything 20:28:39	6 7 8 9 10 11 12 13 14	other medical centers, how many other 20:29:57 pharmacies, were within that 45 miles. 20:29:59 So it would have been an additional 20:30:03 piece of information, but not 20:30:05 conclusive. 20:30:07 QUESTIONS BY MS. HERZFELD: 20:30:07 Q. Okay. But that's information 20:30:08 you would have liked to have had in 20:30:09 evaluating this pharmacy? 20:30:11 MR. O'CONNOR: Objection to 20:30:12
7 8 9 10 11 12 13 14 15	information was obtained? 20:28:19  A. I do not know. 20:28:20  Well, the information would 20:28:25  have been provided by Cardinal Health. 20:28:28  Q. Okay. And did you do anything 20:28:30  to verify the information provided to you by 20:28:32  Cardinal Health? 20:28:34  A. No. 20:28:35  Q. Okay. And did anyone in 20:28:37  Mallinckrodt, to your knowledge, do anything 20:28:39  to verify the information provided by 20:28:40	6 7 8 9 10 11 12 13 14 15 16	other medical centers, how many other 20:29:57 pharmacies, were within that 45 miles. 20:29:59 So it would have been an additional 20:30:03 piece of information, but not 20:30:05 conclusive. 20:30:07 QUESTIONS BY MS. HERZFELD: 20:30:07 Q. Okay. But that's information 20:30:08 you would have liked to have had in 20:30:09 evaluating this pharmacy? 20:30:11 MR. O'CONNOR: Objection to 20:30:12 form. 20:30:13
7 8 9 110 111 112 113 114 115 116	information was obtained?  A. I do not know.  Well, the information would  Q0:28:25  have been provided by Cardinal Health.  Q. Okay. And did you do anything  to verify the information provided to you by  Cardinal Health?  Q0:28:32  Cardinal Health?  Q0:28:35  Q. Okay. And did anyone in  Q0:28:37  Mallinckrodt, to your knowledge, do anything  20:28:39  to verify the information provided by  Cardinal Health?  Q0:28:40  Cardinal Health?  Q0:28:42	6 7 8 9 10 11 12 13 14 15 16 17	other medical centers, how many other 20:29:57 pharmacies, were within that 45 miles. 20:29:59 So it would have been an additional 20:30:03 piece of information, but not 20:30:05 conclusive. 20:30:07 QUESTIONS BY MS. HERZFELD: 20:30:07 Q. Okay. But that's information 20:30:08 you would have liked to have had in 20:30:09 evaluating this pharmacy? 20:30:11 MR. O'CONNOR: Objection to 20:30:12 form. 20:30:13 THE WITNESS: We it wasn't 20:30:13
7 8 9 10 11 12 13 14 15 16 17	information was obtained?  A. I do not know. 20:28:20  Well, the information would 20:28:25  have been provided by Cardinal Health. 20:28:28  Q. Okay. And did you do anything 20:28:30  to verify the information provided to you by 20:28:32  Cardinal Health? 20:28:35  Q. Okay. And did anyone in 20:28:37  Mallinckrodt, to your knowledge, do anything 20:28:39  to verify the information provided by 20:28:40  Cardinal Health? 20:28:42  A. No. 20:28:42	6 7 8 9 10 11 12 13 14 15 16 17	other medical centers, how many other 20:29:57 pharmacies, were within that 45 miles. 20:29:59 So it would have been an additional 20:30:03 piece of information, but not 20:30:05 conclusive. 20:30:07  QUESTIONS BY MS. HERZFELD: 20:30:07 Q. Okay. But that's information 20:30:08 you would have liked to have had in 20:30:09 evaluating this pharmacy? 20:30:11  MR. O'CONNOR: Objection to 20:30:12 form. 20:30:13  THE WITNESS: We it wasn't 20:30:13 always provided to us, the proximity 20:30:17
7 8 9 10 11 12 13 14 15 16 17 18	information was obtained?  A. I do not know.  Well, the information would  20:28:25  have been provided by Cardinal Health.  Q. Okay. And did you do anything  to verify the information provided to you by  Cardinal Health?  Q. Okay. And did anyone in  20:28:37  Mallinckrodt, to your knowledge, do anything  to verify the information provided by  Cardinal Health?  Q. Okay. Okay. So then the next  20:28:44	6 7 8 9 10 11 12 13 14 15 16 17 18	other medical centers, how many other pharmacies, were within that 45 miles. 20:29:59  So it would have been an additional 20:30:03 piece of information, but not 20:30:05 conclusive. 20:30:07  QUESTIONS BY MS. HERZFELD: 20:30:07  Q. Okay. But that's information 20:30:08 you would have liked to have had in 20:30:09 evaluating this pharmacy? 20:30:11  MR. O'CONNOR: Objection to 20:30:12 form. 20:30:13  THE WITNESS: We it wasn't 20:30:13 always provided to us, the proximity 20:30:17 of the pharmacy to a hospital, so we 20:30:19
7 8 9 10 11 12 13 14 15 16 17 18 19 20	information was obtained? 20:28:19  A. I do not know. 20:28:20  Well, the information would 20:28:25  have been provided by Cardinal Health. 20:28:28  Q. Okay. And did you do anything 20:28:30  to verify the information provided to you by 20:28:32  Cardinal Health? 20:28:34  A. No. 20:28:35  Q. Okay. And did anyone in 20:28:37  Mallinckrodt, to your knowledge, do anything 20:28:39  to verify the information provided by 20:28:40  Cardinal Health? 20:28:42  A. No. 20:28:42  A. No. 20:28:42  Q. Okay. Okay. So then the next 20:28:44  sentence says, "Near Riggs Medical Center and 20:28:46	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	other medical centers, how many other 20:29:57 pharmacies, were within that 45 miles. 20:29:59 So it would have been an additional 20:30:03 piece of information, but not 20:30:05 conclusive. 20:30:07  QUESTIONS BY MS. HERZFELD: 20:30:07 Q. Okay. But that's information 20:30:08 you would have liked to have had in 20:30:09 evaluating this pharmacy? 20:30:11 MR. O'CONNOR: Objection to 20:30:12 form. 20:30:13  THE WITNESS: We it wasn't 20:30:13 always provided to us, the proximity 20:30:17 of the pharmacy to a hospital, so we 20:30:29 took this information as Cardinal 20:30:22
7 8 9 110 112 13 14 15 16 17 18 19 20 21	information was obtained?  A. I do not know.  20:28:20  Well, the information would  20:28:25  have been provided by Cardinal Health.  Q. Okay. And did you do anything  20:28:30  to verify the information provided to you by  20:28:32  Cardinal Health?  20:28:35  Q. Okay. And did anyone in  20:28:37  Mallinckrodt, to your knowledge, do anything  20:28:39  to verify the information provided by  20:28:39  Cardinal Health?  20:28:40  Cardinal Health?  A. No.  20:28:42  A. No.  20:28:42  Q. Okay. Okay. So then the next  20:28:44  sentence says, "Near Riggs Medical Center and  20:28:46  St. Mary's Hospital."  20:28:49	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	other medical centers, how many other 20:29:57 pharmacies, were within that 45 miles. 20:29:59 So it would have been an additional 20:30:03 piece of information, but not 20:30:05 conclusive. 20:30:07 QUESTIONS BY MS. HERZFELD: 20:30:07 Q. Okay. But that's information 20:30:08 you would have liked to have had in 20:30:09 evaluating this pharmacy? 20:30:11 MR. O'CONNOR: Objection to 20:30:12 form. 20:30:13  THE WITNESS: We it wasn't 20:30:13 always provided to us, the proximity 20:30:17 of the pharmacy to a hospital, so we 20:30:19 took this information as Cardinal 20:30:22 represented it to us. 20:30:25
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	information was obtained?  A. I do not know.  20:28:20  Well, the information would  20:28:25  have been provided by Cardinal Health.  Q. Okay. And did you do anything  20:28:30  to verify the information provided to you by  20:28:32  Cardinal Health?  Q. Okay. And did anyone in  20:28:35  Q. Okay. And did anyone in  20:28:37  Mallinckrodt, to your knowledge, do anything  20:28:39  to verify the information provided by  20:28:40  Cardinal Health?  20:28:42  A. No.  20:28:42  A. No.  20:28:42  Q. Okay. Okay. So then the next  20:28:44  sentence says, "Near Riggs Medical Center and  20:28:46  St. Mary's Hospital."  20:28:52	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	other medical centers, how many other pharmacies, were within that 45 miles. 20:29:59  So it would have been an additional 20:30:03 piece of information, but not 20:30:05 conclusive. 20:30:07  QUESTIONS BY MS. HERZFELD: 20:30:08 you would have liked to have had in 20:30:09 evaluating this pharmacy? 20:30:11  MR. O'CONNOR: Objection to 20:30:12 form. 20:30:13  THE WITNESS: We it wasn't 20:30:13 always provided to us, the proximity 20:30:17 of the pharmacy to a hospital, so we 20:30:19 took this information as Cardinal 20:30:22 represented it to us. 20:30:25  QUESTIONS BY MS. HERZFELD: 20:30:27
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	information was obtained?  A. I do not know.  Well, the information would  Okay. And did you do anything  to verify the information provided to you by  Cardinal Health?  Okay. And did anyone in  Okay. Okay. And object of the information provided by  Okay. Okay. Okay. So then the next  Okay.	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	other medical centers, how many other pharmacies, were within that 45 miles. 20:29:59  So it would have been an additional 20:30:03  piece of information, but not 20:30:05  conclusive. 20:30:07  QUESTIONS BY MS. HERZFELD: 20:30:08  you would have liked to have had in 20:30:09  evaluating this pharmacy? 20:30:11  MR. O'CONNOR: Objection to 20:30:12  form. 20:30:13  THE WITNESS: We it wasn't 20:30:13  always provided to us, the proximity 20:30:17  of the pharmacy to a hospital, so we 20:30:22  represented it to us. 20:30:25  QUESTIONS BY MS. HERZFELD: 20:30:27  Q. When you hear "near Riggs 20:30:28
7 8	information was obtained?  A. I do not know.  20:28:20  Well, the information would  20:28:25  have been provided by Cardinal Health.  Q. Okay. And did you do anything  20:28:30  to verify the information provided to you by  20:28:32  Cardinal Health?  Q. Okay. And did anyone in  20:28:35  Q. Okay. And did anyone in  20:28:37  Mallinckrodt, to your knowledge, do anything  20:28:39  to verify the information provided by  20:28:40  Cardinal Health?  20:28:42  A. No.  20:28:42  A. No.  20:28:42  Q. Okay. Okay. So then the next  20:28:44  sentence says, "Near Riggs Medical Center and  20:28:46  St. Mary's Hospital."  20:28:52	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	other medical centers, how many other pharmacies, were within that 45 miles. 20:29:59  So it would have been an additional 20:30:03 piece of information, but not 20:30:05 conclusive. 20:30:07  QUESTIONS BY MS. HERZFELD: 20:30:08 you would have liked to have had in 20:30:09 evaluating this pharmacy? 20:30:11  MR. O'CONNOR: Objection to 20:30:12 form. 20:30:13  THE WITNESS: We it wasn't 20:30:13 always provided to us, the proximity 20:30:17 of the pharmacy to a hospital, so we 20:30:19 took this information as Cardinal 20:30:22 represented it to us. 20:30:25  QUESTIONS BY MS. HERZFELD: 20:30:27

	Page 566		Page 568
1	MR. O'CONNOR: Objection to 20:30:37	1	list," what does that mean? 20:32:13
2	form. 20:30:38	2	A. Well, I'd like to clarify the 20:32:15
3	THE WITNESS: I don't know La 20:30:38	3	previous information. 20:32:17
4	Follette, Tennessee, to know if in 20:30:41	4	•
	Missouri, some of the health care 20:30:44	5	,
5			A. I don't know who filled this 20:32:19
6	centers are hundreds of miles away 20:30:45	6	out. 20:32:19
7	from where a patient may live and the 20:30:48	7	Q. Okay. 20:32:19
8	pharmacy from which they may obtain 20:30:52	8	A. I don't know if it was us or 20:32:20
9	their prescriptions, so I don't have 20:30:54	9	Cardinal 20:32:20
10	enough information to answer. 20:30:57	10	Q. Okay. 20:32:20
11	QUESTIONS BY MS. HERZFELD: 20:30:58	11	A because Cardinal was a great 20:32:21
12	Q. Okay. But you didn't do 20:30:58	12	collaborative partner. And so as time went 20:32:23
13	anything to check that out, did you? 20:30:59	13	on, as opposed to us writing these things in 20:32:26
14	A. No. 20:31:00	14	hand, Cardinal would come prepared to 20:32:28
15	Q. Okay. And then it says, 20:31:02	15	conversations or meetings or tell or 20:32:30
16	"Another Riggs drugstore is located in 20:31:03	16	transmit these pharmacy information sheets to 20:32:32
17	Powell, Tennessee, with oxy 30 milligram 20:31:06	17	us. 20:32:35
18	year-to-date of approximately 170,000." 20:31:09	18	Q. Okay. 20:32:35
19	Do you see that? 20:31:13	19	A. So I don't know who typed this 20:32:36
20	A. Yes. 20:31:13	20	disposition. 20:32:42
21	Q. Okay. Did that concern you at 20:31:16	21	Q. Okay. Do you know if Riggs was 20:32:43
22	all, that there was another Riggs pharmacy so 20:31:18	22	ever put on a chargeback list? 20:32:44
23	close with that number? 20:31:21	23	A. I yes. 20:32:46
24	MR. O'CONNOR: Objection to 20:31:24	24	Q. Why don't we look at the list. 20:32:49
25	form. 20:31:25	25	A. All right. 20:32:51
	Page 567		Page 569
	_		rage 309
1 1		1 1	O I'll find it 20.22.51
1	THE WITNESS: I don't see on 20:31:25	1	Q. I'll find it. 20:32:51 Would Cardinal have had the 20:32:53
2	this pharmacy information sheet a 20:31:28	2	Would Cardinal have had the 20:32:53
2 3	this pharmacy information sheet a 20:31:28 disposition in terms of whether we 20:31:30	2	Would Cardinal have had the 20:32:53 ability to tell Mallinckrodt what to put on 20:32:55
2 3 4	this pharmacy information sheet a 20:31:28 disposition in terms of whether we 20:31:30 restricted chargebacks to the sale 20:31:35	2 3 4	Would Cardinal have had the 20:32:53 ability to tell Mallinckrodt what to put on 20:32:55 or take off of a chargeback list? 20:32:57
2 3 4 5	this pharmacy information sheet a 20:31:28 disposition in terms of whether we 20:31:30 restricted chargebacks to the sale 20:31:35 of of pharmaceuticals to any of 20:31:39	2 3 4 5	Would Cardinal have had the 20:32:53 ability to tell Mallinckrodt what to put on 20:32:55 or take off of a chargeback list? 20:32:57 MS. FIX MEYER: Objection. 20:32:59
2 3 4 5 6	this pharmacy information sheet a 20:31:28 disposition in terms of whether we 20:31:30 restricted chargebacks to the sale 20:31:35 of of pharmaceuticals to any of 20:31:39 these Riggs Drug's facilities. 20:31:40	2 3 4 5 6	Would Cardinal have had the 20:32:53 ability to tell Mallinckrodt what to put on 20:32:55 or take off of a chargeback list? 20:32:57 MS. FIX MEYER: Objection. 20:32:59 Form. 20:33:00
2 3 4 5 6 7	this pharmacy information sheet a 20:31:28 disposition in terms of whether we 20:31:30 restricted chargebacks to the sale 20:31:35 of of pharmaceuticals to any of 20:31:39 these Riggs Drug's facilities. 20:31:40  I can tell you it was a topic 20:31:43	2 3 4 5 6 7	Would Cardinal have had the 20:32:53 ability to tell Mallinckrodt what to put on 20:32:55 or take off of a chargeback list? 20:32:57 MS. FIX MEYER: Objection. 20:32:59 Form. 20:33:00 MR. O'CONNOR: Objection to 20:33:00
2 3 4 5 6 7 8	this pharmacy information sheet a 20:31:28 disposition in terms of whether we 20:31:30 restricted chargebacks to the sale 20:31:35 of of pharmaceuticals to any of 20:31:39 these Riggs Drug's facilities. 20:31:40 I can tell you it was a topic 20:31:43 of conversation with Cardinal, but I 20:31:45	2 3 4 5 6 7 8	Would Cardinal have had the 20:32:53 ability to tell Mallinckrodt what to put on 20:32:55 or take off of a chargeback list? 20:32:57 MS. FIX MEYER: Objection. 20:32:59 Form. 20:33:00 MR. O'CONNOR: Objection to 20:33:00 form. 20:33:01
2 3 4 5 6 7 8	this pharmacy information sheet a 20:31:28 disposition in terms of whether we 20:31:30 restricted chargebacks to the sale 20:31:35 of of pharmaceuticals to any of 20:31:39 these Riggs Drug's facilities. 20:31:40 I can tell you it was a topic 20:31:43 of conversation with Cardinal, but I 20:31:45 don't know the disposition. 20:31:46	2 3 4 5 6 7 8	Would Cardinal have had the 20:32:53 ability to tell Mallinckrodt what to put on 20:32:55 or take off of a chargeback list? 20:32:57 MS. FIX MEYER: Objection. 20:32:59 Form. 20:33:00 MR. O'CONNOR: Objection to 20:33:00 form. 20:33:01 MS. HERZFELD: Same objection. 20:33:01
2 3 4 5 6 7 8 9	this pharmacy information sheet a 20:31:28 disposition in terms of whether we 20:31:30 restricted chargebacks to the sale 20:31:35 of of pharmaceuticals to any of 20:31:39 these Riggs Drug's facilities. 20:31:40 I can tell you it was a topic 20:31:43 of conversation with Cardinal, but I 20:31:45 don't know the disposition. 20:31:46 QUESTIONS BY MS. HERZFELD: 20:31:47	2 3 4 5 6 7 8 9	Would Cardinal have had the 20:32:53 ability to tell Mallinckrodt what to put on 20:32:55 or take off of a chargeback list? 20:32:57 MS. FIX MEYER: Objection. 20:32:59 Form. 20:33:00 MR. O'CONNOR: Objection to 20:33:00 form. 20:33:01 MS. HERZFELD: Same objection. 20:33:01 QUESTIONS BY MS. HERZFELD: 20:33:06
2 3 4 5 6 7 8 9 10	this pharmacy information sheet a 20:31:28 disposition in terms of whether we 20:31:30 restricted chargebacks to the sale 20:31:35 of of pharmaceuticals to any of 20:31:39 these Riggs Drug's facilities. 20:31:40 I can tell you it was a topic 20:31:43 of conversation with Cardinal, but I 20:31:45 don't know the disposition. 20:31:46 QUESTIONS BY MS. HERZFELD: 20:31:47 Q. Okay. If you look down at the 20:31:48	2 3 4 5 6 7 8 9 10	Would Cardinal have had the 20:32:53 ability to tell Mallinckrodt what to put on 20:32:55 or take off of a chargeback list? 20:32:57 MS. FIX MEYER: Objection. 20:32:59 Form. 20:33:00 MR. O'CONNOR: Objection to 20:33:00 form. 20:33:01 MS. HERZFELD: Same objection. 20:33:01 QUESTIONS BY MS. HERZFELD: 20:33:06 Q. Did Cardinal have that ability? 20:33:06
2 3 4 5 6 7 8 9 10 11 12	this pharmacy information sheet a 20:31:28 disposition in terms of whether we 20:31:30 restricted chargebacks to the sale 20:31:35 of of pharmaceuticals to any of 20:31:39 these Riggs Drug's facilities. 20:31:40 I can tell you it was a topic 20:31:43 of conversation with Cardinal, but I 20:31:45 don't know the disposition. 20:31:46 QUESTIONS BY MS. HERZFELD: 20:31:47 Q. Okay. If you look down at the 20:31:48 bottom there, it says, "Result, take off list 20:31:49	2 3 4 5 6 7 8 9 10 11	Would Cardinal have had the 20:32:53 ability to tell Mallinckrodt what to put on 20:32:55 or take off of a chargeback list? 20:32:57 MS. FIX MEYER: Objection. 20:32:59 Form. 20:33:00 MR. O'CONNOR: Objection to 20:33:00 form. 20:33:01 MS. HERZFELD: Same objection. 20:33:01 QUESTIONS BY MS. HERZFELD: 20:33:06 Q. Did Cardinal have that ability? 20:33:06 A. They had no, not the 20:33:08
2 3 4 5 6 7 8 9 10 11 12 13	this pharmacy information sheet a disposition in terms of whether we 20:31:30 restricted chargebacks to the sale 20:31:35 of of pharmaceuticals to any of 20:31:39 these Riggs Drug's facilities. 20:31:40 I can tell you it was a topic 20:31:43 of conversation with Cardinal, but I 20:31:45 don't know the disposition. 20:31:46 QUESTIONS BY MS. HERZFELD: 20:31:47 Q. Okay. If you look down at the 20:31:48 bottom there, it says, "Result, take off list 20:31:49 and honor chargebacks. Requested site visit 20:31:51	2 3 4 5 6 7 8 9 10 11 12 13	Would Cardinal have had the 20:32:53 ability to tell Mallinckrodt what to put on 20:32:55 or take off of a chargeback list? 20:32:57 MS. FIX MEYER: Objection. 20:32:59 Form. 20:33:00 MR. O'CONNOR: Objection to 20:33:00 form. 20:33:01 MS. HERZFELD: Same objection. 20:33:01 QUESTIONS BY MS. HERZFELD: 20:33:06 Q. Did Cardinal have that ability? 20:33:06 A. They had no, not the 20:33:08 ability. 20:33:13
2 3 4 5 6 7 8 9 10 11 12 13 14	this pharmacy information sheet a 20:31:28 disposition in terms of whether we 20:31:30 restricted chargebacks to the sale 20:31:35 of of pharmaceuticals to any of 20:31:39 these Riggs Drug's facilities. 20:31:40 I can tell you it was a topic 20:31:43 of conversation with Cardinal, but I 20:31:45 don't know the disposition. 20:31:46 QUESTIONS BY MS. HERZFELD: 20:31:47 Q. Okay. If you look down at the 20:31:48 bottom there, it says, "Result, take off list 20:31:49 and honor chargebacks. Requested site visit 20:31:51 with 90 days. Low CS percentage is 20:31:54	2 3 4 5 6 7 8 9 10 11 12 13 14	Would Cardinal have had the 20:32:53 ability to tell Mallinckrodt what to put on 20:32:55 or take off of a chargeback list? 20:32:57 MS. FIX MEYER: Objection. 20:32:59 Form. 20:33:00 MR. O'CONNOR: Objection to 20:33:00 form. 20:33:01 MS. HERZFELD: Same objection. 20:33:01 QUESTIONS BY MS. HERZFELD: 20:33:06 Q. Did Cardinal have that ability? 20:33:06 A. They had no, not the 20:33:08 ability. 20:33:13 Q. Okay. Would they make 20:33:13
2 3 4 5 6 7 8 9 10 11 12 13 14 15	this pharmacy information sheet a disposition in terms of whether we 20:31:30 restricted chargebacks to the sale 20:31:35 of of pharmaceuticals to any of 20:31:39 these Riggs Drug's facilities. 20:31:40 I can tell you it was a topic 20:31:43 of conversation with Cardinal, but I 20:31:45 don't know the disposition. 20:31:46 QUESTIONS BY MS. HERZFELD: 20:31:47 Q. Okay. If you look down at the 20:31:48 bottom there, it says, "Result, take off list 20:31:49 and honor chargebacks. Requested site visit 20:31:51 with 90 days. Low CS percentage is 20:31:54 mitigating factor." 20:31:57	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Would Cardinal have had the 20:32:53 ability to tell Mallinckrodt what to put on 20:32:55 or take off of a chargeback list? 20:32:57 MS. FIX MEYER: Objection. 20:32:59 Form. 20:33:00 MR. O'CONNOR: Objection to 20:33:00 form. 20:33:01 MS. HERZFELD: Same objection. 20:33:01 QUESTIONS BY MS. HERZFELD: 20:33:06 Q. Did Cardinal have that ability? 20:33:06 A. They had no, not the 20:33:08 ability. 20:33:13 Q. Okay. Would they make 20:33:13 recommendations? 20:33:15
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	this pharmacy information sheet a disposition in terms of whether we restricted chargebacks to the sale 20:31:35 of of pharmaceuticals to any of 20:31:39 these Riggs Drug's facilities. 20:31:40 I can tell you it was a topic 20:31:43 of conversation with Cardinal, but I 20:31:45 don't know the disposition. 20:31:46 QUESTIONS BY MS. HERZFELD: 20:31:47 Q. Okay. If you look down at the 20:31:48 bottom there, it says, "Result, take off list 20:31:49 and honor chargebacks. Requested site visit 20:31:51 with 90 days. Low CS percentage is 20:31:54 mitigating factor." 20:31:58	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Would Cardinal have had the 20:32:53 ability to tell Mallinckrodt what to put on 20:32:55 or take off of a chargeback list? 20:32:57 MS. FIX MEYER: Objection. 20:32:59 Form. 20:33:00 MR. O'CONNOR: Objection to 20:33:00 form. 20:33:01 MS. HERZFELD: Same objection. 20:33:01 QUESTIONS BY MS. HERZFELD: 20:33:06 Q. Did Cardinal have that ability? 20:33:06 A. They had no, not the 20:33:08 ability. 20:33:13 Q. Okay. Would they make 20:33:15 A. Yes. 20:33:15
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	this pharmacy information sheet a disposition in terms of whether we 20:31:30 restricted chargebacks to the sale 20:31:35 of of pharmaceuticals to any of 20:31:39 these Riggs Drug's facilities. 20:31:40 I can tell you it was a topic 20:31:43 of conversation with Cardinal, but I 20:31:45 don't know the disposition. 20:31:46 QUESTIONS BY MS. HERZFELD: 20:31:47 Q. Okay. If you look down at the 20:31:48 bottom there, it says, "Result, take off list 20:31:49 and honor chargebacks. Requested site visit 20:31:51 with 90 days. Low CS percentage is 20:31:54 mitigating factor." 20:31:57 Do you see that? 20:31:59	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Would Cardinal have had the 20:32:53 ability to tell Mallinckrodt what to put on 20:32:55 or take off of a chargeback list? 20:32:57 MS. FIX MEYER: Objection. 20:32:59 Form. 20:33:00 MR. O'CONNOR: Objection to 20:33:00 form. 20:33:01 MS. HERZFELD: Same objection. 20:33:01 QUESTIONS BY MS. HERZFELD: 20:33:06 Q. Did Cardinal have that ability? 20:33:06 A. They had no, not the 20:33:08 ability. 20:33:13 Q. Okay. Would they make 20:33:15 A. Yes. 20:33:15 Q. Okay. And would you follow the 20:33:17
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	this pharmacy information sheet a disposition in terms of whether we 20:31:30 restricted chargebacks to the sale 20:31:35 of of pharmaceuticals to any of 20:31:39 these Riggs Drug's facilities. 20:31:40 I can tell you it was a topic 20:31:43 of conversation with Cardinal, but I 20:31:45 don't know the disposition. 20:31:46 QUESTIONS BY MS. HERZFELD: 20:31:47 Q. Okay. If you look down at the 20:31:48 bottom there, it says, "Result, take off list 20:31:49 and honor chargebacks. Requested site visit 20:31:51 with 90 days. Low CS percentage is 20:31:54 mitigating factor." 20:31:57 Do you see that? 20:31:59 Q. Okay. And so that would be the 20:31:59	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Would Cardinal have had the 20:32:53 ability to tell Mallinckrodt what to put on 20:32:55 or take off of a chargeback list? 20:32:57 MS. FIX MEYER: Objection. 20:32:59 Form. 20:33:00 MR. O'CONNOR: Objection to 20:33:00 form. 20:33:01 MS. HERZFELD: Same objection. 20:33:01 QUESTIONS BY MS. HERZFELD: 20:33:06 Q. Did Cardinal have that ability? 20:33:06 A. They had no, not the 20:33:08 ability. 20:33:13 Q. Okay. Would they make 20:33:13 recommendations? 20:33:15 A. Yes. 20:33:15 Q. Okay. And would you follow the 20:33:17 recommendations? 20:33:19
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	this pharmacy information sheet a disposition in terms of whether we restricted chargebacks to the sale 20:31:35 of of pharmaceuticals to any of 20:31:39 these Riggs Drug's facilities. 20:31:40 I can tell you it was a topic 20:31:43 of conversation with Cardinal, but I 20:31:45 don't know the disposition. 20:31:46 QUESTIONS BY MS. HERZFELD: 20:31:47 Q. Okay. If you look down at the 20:31:48 bottom there, it says, "Result, take off list 20:31:49 and honor chargebacks. Requested site visit 20:31:51 with 90 days. Low CS percentage is 20:31:54 mitigating factor." 20:31:57 Do you see that? 20:31:59 Q. Okay. And so that would be the 20:31:59 result from the Mallinckrodt side; is that 20:32:02	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Would Cardinal have had the 20:32:53 ability to tell Mallinckrodt what to put on 20:32:55 or take off of a chargeback list? 20:32:57 MS. FIX MEYER: Objection. 20:32:59 Form. 20:33:00 MR. O'CONNOR: Objection to 20:33:00 form. 20:33:01 MS. HERZFELD: Same objection. 20:33:01 QUESTIONS BY MS. HERZFELD: 20:33:06 Q. Did Cardinal have that ability? 20:33:06 A. They had no, not the 20:33:08 ability. 20:33:13 Q. Okay. Would they make 20:33:15 A. Yes. 20:33:15 Q. Okay. And would you follow the 20:33:17 recommendations? 20:33:19 A. Yes. 20:33:19
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	this pharmacy information sheet a disposition in terms of whether we 20:31:30 restricted chargebacks to the sale 20:31:35 of of pharmaceuticals to any of 20:31:39 these Riggs Drug's facilities. 20:31:40 I can tell you it was a topic 20:31:43 of conversation with Cardinal, but I 20:31:45 don't know the disposition. 20:31:46 QUESTIONS BY MS. HERZFELD: 20:31:47 Q. Okay. If you look down at the 20:31:48 bottom there, it says, "Result, take off list 20:31:49 and honor chargebacks. Requested site visit 20:31:51 with 90 days. Low CS percentage is 20:31:54 mitigating factor." 20:31:57 Do you see that? 20:31:59 Q. Okay. And so that would be the 20:31:59 result from the Mallinckrodt side; is that 20:32:02 correct? 20:32:04	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Would Cardinal have had the 20:32:53 ability to tell Mallinckrodt what to put on 20:32:55 or take off of a chargeback list? 20:32:57 MS. FIX MEYER: Objection. 20:32:59 Form. 20:33:00 MR. O'CONNOR: Objection to 20:33:00 form. 20:33:01 MS. HERZFELD: Same objection. 20:33:01 QUESTIONS BY MS. HERZFELD: 20:33:06 Q. Did Cardinal have that ability? 20:33:06 A. They had no, not the 20:33:08 ability. 20:33:13 Q. Okay. Would they make 20:33:13 recommendations? 20:33:15 A. Yes. 20:33:15 Q. Okay. And would you follow the 20:33:17 recommendations? 20:33:19 A. Yes. 20:33:19 Q. Would you do any independent 20:33:20
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	this pharmacy information sheet a disposition in terms of whether we 20:31:30 restricted chargebacks to the sale 20:31:35 of of pharmaceuticals to any of 20:31:39 these Riggs Drug's facilities. 20:31:40  I can tell you it was a topic 20:31:43 of conversation with Cardinal, but I 20:31:45 don't know the disposition. 20:31:46  QUESTIONS BY MS. HERZFELD: 20:31:47  Q. Okay. If you look down at the 20:31:48 bottom there, it says, "Result, take off list 20:31:49 and honor chargebacks. Requested site visit 20:31:51 with 90 days. Low CS percentage is 20:31:54 mitigating factor." 20:31:58  A. Yes. 20:31:59  Q. Okay. And so that would be the 20:31:59 result from the Mallinckrodt side; is that 20:32:02 correct? 20:32:04  MR. O'CONNOR: Objection to 20:32:04	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Would Cardinal have had the 20:32:53 ability to tell Mallinckrodt what to put on 20:32:55 or take off of a chargeback list? 20:32:57    MS. FIX MEYER: Objection. 20:32:59 Form. 20:33:00    MR. O'CONNOR: Objection to 20:33:00    form. 20:33:01    MS. HERZFELD: Same objection. 20:33:01    QUESTIONS BY MS. HERZFELD: 20:33:06    Q. Did Cardinal have that ability? 20:33:06    A. They had no, not the 20:33:08 ability. 20:33:13    Q. Okay. Would they make 20:33:13 recommendations? 20:33:15    A. Yes. 20:33:15    Q. Okay. And would you follow the 20:33:17 recommendations? 20:33:19    A. Yes. 20:33:19    Q. Would you do any independent 20:33:20 research to verify their recommendations? 20:33:25
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	this pharmacy information sheet a disposition in terms of whether we restricted chargebacks to the sale 20:31:35 of of pharmaceuticals to any of 20:31:39 these Riggs Drug's facilities. 20:31:40 I can tell you it was a topic 20:31:43 of conversation with Cardinal, but I 20:31:45 don't know the disposition. 20:31:46 QUESTIONS BY MS. HERZFELD: 20:31:48 bottom there, it says, "Result, take off list 20:31:49 and honor chargebacks. Requested site visit 20:31:51 with 90 days. Low CS percentage is 20:31:54 mitigating factor." 20:31:58 A. Yes. 20:31:59 Q. Okay. And so that would be the 20:32:02 correct? 20:32:04 MR. O'CONNOR: Objection to 20:32:04 form. 20:32:05	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Would Cardinal have had the 20:32:53 ability to tell Mallinckrodt what to put on 20:32:55 or take off of a chargeback list? 20:32:57    MS. FIX MEYER: Objection. 20:32:59 Form. 20:33:00    MR. O'CONNOR: Objection to 20:33:00    form. 20:33:01    MS. HERZFELD: Same objection. 20:33:01 QUESTIONS BY MS. HERZFELD: 20:33:06    A. They had no, not the 20:33:08 ability. 20:33:13    Q. Okay. Would they make 20:33:15    A. Yes. 20:33:15    Q. Okay. And would you follow the 20:33:17 recommendations? 20:33:19    A. Yes. 20:33:19    A. Yes. 20:33:19    Q. Would you do any independent 20:33:20 research to verify their recommendations? 20:33:25    A. I don't it would have been 20:33:27
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	this pharmacy information sheet a disposition in terms of whether we restricted chargebacks to the sale 20:31:35 of of pharmaceuticals to any of 20:31:39 these Riggs Drug's facilities. 20:31:40 I can tell you it was a topic 20:31:43 of conversation with Cardinal, but I 20:31:45 don't know the disposition. 20:31:46 QUESTIONS BY MS. HERZFELD: 20:31:47 Q. Okay. If you look down at the 20:31:48 bottom there, it says, "Result, take off list 20:31:49 and honor chargebacks. Requested site visit 20:31:51 with 90 days. Low CS percentage is 20:31:54 mitigating factor." 20:31:58 A. Yes. 20:31:59 Q. Okay. And so that would be the 20:31:59 result from the Mallinckrodt side; is that 20:32:02 correct? 20:32:04 MR. O'CONNOR: Objection to 20:32:04 form. 20:32:05 THE WITNESS: Yes. 20:32:05	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Would Cardinal have had the 20:32:53 ability to tell Mallinckrodt what to put on 20:32:55 or take off of a chargeback list? 20:32:57    MS. FIX MEYER: Objection. 20:32:59 Form. 20:33:00    MR. O'CONNOR: Objection to 20:33:00    form. 20:33:01    MS. HERZFELD: Same objection. 20:33:01 QUESTIONS BY MS. HERZFELD: 20:33:06    A. They had no, not the 20:33:08 ability. 20:33:13 Q. Okay. Would they make 20:33:13 recommendations? 20:33:15 A. Yes. 20:33:15 Q. Okay. And would you follow the 20:33:17 recommendations? 20:33:19 A. Yes. 20:33:19 Q. Would you do any independent 20:33:20 research to verify their recommendations? 20:33:25 A. I don't it would have been 20:33:37 situational. 20:33:33
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	this pharmacy information sheet a disposition in terms of whether we restricted chargebacks to the sale 20:31:35 of of pharmaceuticals to any of 20:31:39 these Riggs Drug's facilities. 20:31:40 I can tell you it was a topic 20:31:43 of conversation with Cardinal, but I 20:31:45 don't know the disposition. 20:31:46 QUESTIONS BY MS. HERZFELD: 20:31:47 Q. Okay. If you look down at the 20:31:48 bottom there, it says, "Result, take off list 20:31:49 and honor chargebacks. Requested site visit 20:31:51 with 90 days. Low CS percentage is 20:31:54 mitigating factor." 20:31:57 Do you see that? 20:31:59 Q. Okay. And so that would be the 20:31:59 result from the Mallinckrodt side; is that 20:32:02 correct? 20:32:04 MR. O'CONNOR: Objection to 20:32:04 form. 20:32:05 THE WITNESS: Yes. 20:32:05 QUESTIONS BY MS. HERZFELD: 20:32:09	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Would Cardinal have had the 20:32:53 ability to tell Mallinckrodt what to put on 20:32:55 or take off of a chargeback list? 20:32:57    MS. FIX MEYER: Objection. 20:32:59 Form. 20:33:00    MR. O'CONNOR: Objection to 20:33:00    form. 20:33:01    MS. HERZFELD: Same objection. 20:33:01    QUESTIONS BY MS. HERZFELD: 20:33:06    Q. Did Cardinal have that ability? 20:33:06    A. They had no, not the 20:33:08 ability. 20:33:13    Q. Okay. Would they make 20:33:13    recommendations? 20:33:15    A. Yes. 20:33:15    Q. Okay. And would you follow the 20:33:17 recommendations? 20:33:19    A. Yes. 20:33:19    Q. Would you do any independent 20:33:20 research to verify their recommendations? 20:33:27 situational. 20:33:33    Q. Okay. I'm going to show you 20:33:35
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	this pharmacy information sheet a disposition in terms of whether we restricted chargebacks to the sale 20:31:35 of of pharmaceuticals to any of 20:31:39 these Riggs Drug's facilities. 20:31:40 I can tell you it was a topic 20:31:43 of conversation with Cardinal, but I 20:31:45 don't know the disposition. 20:31:46 QUESTIONS BY MS. HERZFELD: 20:31:47 Q. Okay. If you look down at the 20:31:48 bottom there, it says, "Result, take off list 20:31:49 and honor chargebacks. Requested site visit 20:31:51 with 90 days. Low CS percentage is 20:31:54 mitigating factor." 20:31:58 A. Yes. 20:31:59 Q. Okay. And so that would be the 20:31:59 result from the Mallinckrodt side; is that 20:32:02 correct? 20:32:04 MR. O'CONNOR: Objection to 20:32:04 form. 20:32:05 THE WITNESS: Yes. 20:32:05	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Would Cardinal have had the 20:32:53 ability to tell Mallinckrodt what to put on 20:32:55 or take off of a chargeback list? 20:32:57    MS. FIX MEYER: Objection. 20:32:59 Form. 20:33:00    MR. O'CONNOR: Objection to 20:33:00    form. 20:33:01    MS. HERZFELD: Same objection. 20:33:01 QUESTIONS BY MS. HERZFELD: 20:33:06    A. They had no, not the 20:33:08 ability. 20:33:13 Q. Okay. Would they make 20:33:13 recommendations? 20:33:15 A. Yes. 20:33:15 Q. Okay. And would you follow the 20:33:17 recommendations? 20:33:19 A. Yes. 20:33:19 Q. Would you do any independent 20:33:20 research to verify their recommendations? 20:33:25 A. I don't it would have been 20:33:37 situational. 20:33:33

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1	please let me know if you see Riggs on there, 20:33:42	1	,, ,, ,, ,, ,, ,, ,, ,, ,,, ,, ,
2	please. 20:33:44	2	A. Yes. 20:36:47
3	A. I do not. 20:33:44	3	Q. Do you know where that's 20:36:47
4	Q. Okay. So if Riggs was ever 20:33:47	4	located? 20:36:48
5	placed on a chargeback list on 20:33:49	5	A. No. 20:36:48
6	Mallinckrodt by Mallinckrodt, it should 20:33:51	6	Q. Okay. And then Kinser drug 20:36:49
7	appear on the chargeback list; is that 20:33:52	7	store. 20:36:54
8	correct? 20:33:54	8	Do you see that? 20:36:54
9	MR. O'CONNOR: Objection to 20:33:54	9	A. Yes. 20:36:55
10	form. 20:33:55	10	Q. Okay. And is Kinser drug store 20:36:55
11	THE WITNESS: Yes. 20:33:55	11	listed in Tennessee? 20:36:57
12	QUESTIONS BY MS. HERZFELD: 20:33:58	12	A. I know the name came up within 20:36:59
13	Q. Okay. Okay. You can set that 20:33:58	13	the course of this deposition. I'm getting 20:37:00
14	aside. 20:34:07	14	so muddled, I don't know. I'm sorry. 20:37:02
15	(Mallinckrodt-Harper Exhibit 52 20:34:57	15	Q. That's fine. Okay. And I 20:37:04
16	marked for identification.) 20:34:57	16	think those are my only questions on that 20:37:06
17	QUESTIONS BY MS. HERZFELD: 20:34:57	17	document. 20:37:07
18	Q. I'm going to show what we'll 20:34:58	18	A. Okay. 20:37:08
19	mark as Exhibit 51? 2? 20:35:00	19	Q. Let's put it aside. 20:37:08
20	MR. O'CONNOR: It's 52. 20:35:03	20	Okay. We'll just go through 20:38:39
21	MS. HERZFELD: 52? Thank you. 20:35:06	21	these next three pretty quickly. 20:38:42
22	QUESTIONS BY MS. HERZFELD: 20:35:06	22	(Mallinckrodt-Harper Exhibit 53 20:38:44
23	Q. This is MNK_TNSTA05353270. 20:35:14	23	marked for identification.) 20:38:44
24	Take a look at that for me, please, ma'am. 20:35:26	24	QUESTIONS BY MS. HERZFELD: 20:38:44
25	Do you recognize this as the 20:35:45	25	Q. Number 53, MNK_TNSTA00612651. 20:38:44
	Page 571		Page 573
1	_	1	Do you recognize this document 20:39:05
1 2	-	1 2	Do you recognize this document 20:39:05
	summary report for the Cardinal Health 20:35:46		Do you recognize this document 20:39:05
2	summary report for the Cardinal Health 20:35:46 suspicious order monitoring audit conducted 20:35:49	2	Do you recognize this document 20:39:05 as a pharmacy information sheet? 20:39:15
2 3	summary report for the Cardinal Health 20:35:46 suspicious order monitoring audit conducted 20:35:49 March 5th through 6th in 2012 in Ohio? 20:35:51	2 3	Do you recognize this document 20:39:05 as a pharmacy information sheet? 20:39:15 A. Yes. 20:39:17
2 3 4	summary report for the Cardinal Health suspicious order monitoring audit conducted March 5th through 6th in 2012 in Ohio? A. Yes. 20:35:53 20:35:46 20:35:46 20:35:49	2 3 4	Do you recognize this document 20:39:05 as a pharmacy information sheet? 20:39:15 A. Yes. 20:39:17 Q. Do you know if it was filled 20:39:17
2 3 4 5	summary report for the Cardinal Health suspicious order monitoring audit conducted March 5th through 6th in 2012 in Ohio?  A. Yes. 20:35:53 Q. Okay. Did you create this 20:35:54	2 3 4 5	Do you recognize this document 20:39:05 as a pharmacy information sheet? 20:39:15 A. Yes. 20:39:17 Q. Do you know if it was filled 20:39:17 out by Mallinckrodt or by Cardinal? 20:39:18
2 3 4 5 6	summary report for the Cardinal Health suspicious order monitoring audit conducted March 5th through 6th in 2012 in Ohio?  A. Yes. 20:35:53 Q. Okay. Did you create this 20:35:54 document? 20:35:55	2 3 4 5 6	Do you recognize this document 20:39:05 as a pharmacy information sheet? 20:39:15 A. Yes. 20:39:17 Q. Do you know if it was filled 20:39:17 out by Mallinckrodt or by Cardinal? 20:39:18 A. I do not know. 20:39:21
2 3 4 5 6 7	summary report for the Cardinal Health suspicious order monitoring audit conducted March 5th through 6th in 2012 in Ohio?  A. Yes. 20:35:53 Q. Okay. Did you create this 20:35:54 document? 20:35:55 A. I don't recall. 20:35:55	2 3 4 5 6 7	Do you recognize this document 20:39:05 as a pharmacy information sheet? 20:39:15 A. Yes. 20:39:17 Q. Do you know if it was filled 20:39:17 out by Mallinckrodt or by Cardinal? 20:39:18 A. I do not know. 20:39:21 MS. FIX MEYER: Objection. 20:39:22
2 3 4 5 6 7 8	summary report for the Cardinal Health suspicious order monitoring audit conducted March 5th through 6th in 2012 in Ohio?  A. Yes. 20:35:53 Q. Okay. Did you create this 20:35:54 document? 20:35:55 A. I don't recall. 20:35:55 Q. Okay. Looking through it, it 20:35:58	2 3 4 5 6 7 8	Do you recognize this document 20:39:05 as a pharmacy information sheet? 20:39:15 A. Yes. 20:39:17 Q. Do you know if it was filled 20:39:17 out by Mallinckrodt or by Cardinal? 20:39:18 A. I do not know. 20:39:21 MS. FIX MEYER: Objection. 20:39:22 MS. HERZFELD: Okay. Same 20:39:23
2 3 4 5 6 7 8	summary report for the Cardinal Health suspicious order monitoring audit conducted March 5th through 6th in 2012 in Ohio?  A. Yes. 20:35:53 Q. Okay. Did you create this 20:35:54 document? 20:35:55 A. I don't recall. 20:35:55 Q. Okay. Looking through it, it 20:35:58 says on March 5th, a total of 19 pharmacies 20:36:02	2 3 4 5 6 7 8	Do you recognize this document 20:39:05 as a pharmacy information sheet? 20:39:15 A. Yes. 20:39:17 Q. Do you know if it was filled 20:39:17 out by Mallinckrodt or by Cardinal? 20:39:18 A. I do not know. 20:39:21 MS. FIX MEYER: Objection. 20:39:22 MS. HERZFELD: Okay. Same 20:39:23 standing objection. 20:39:25
2 3 4 5 6 7 8 9	summary report for the Cardinal Health suspicious order monitoring audit conducted March 5th through 6th in 2012 in Ohio?  A. Yes.  Q. Okay. Did you create this document?  A. I don't recall.  Q. Okay. Looking through it, it 20:35:58  Says on March 5th, a total of 19 pharmacies 20:36:02  located in Florida were reviewed.  20:35:46  20:35:55  20:35:55  20:36:02	2 3 4 5 6 7 8 9	Do you recognize this document       20:39:05         as a pharmacy information sheet?       20:39:15         A. Yes.       20:39:17         Q. Do you know if it was filled       20:39:17         out by Mallinckrodt or by Cardinal?       20:39:18         A. I do not know.       20:39:21         MS. FIX MEYER: Objection.       20:39:22         MS. HERZFELD: Okay. Same       20:39:23         standing objection.       20:39:25         QUESTIONS BY MS. HERZFELD:       20:39:25
2 3 4 5 6 7 8 9 10	summary report for the Cardinal Health suspicious order monitoring audit conducted March 5th through 6th in 2012 in Ohio?  A. Yes. 20:35:53 Q. Okay. Did you create this 20:35:54 document? 20:35:55 A. I don't recall. 20:35:55 Q. Okay. Looking through it, it 20:35:58 says on March 5th, a total of 19 pharmacies 20:36:02 located in Florida were reviewed. 20:36:04 If you look at the second page, 20:36:06	2 3 4 5 6 7 8 9 10	Do you recognize this document   20:39:05     as a pharmacy information sheet?   20:39:15     A. Yes.   20:39:17     Q. Do you know if it was filled   20:39:17     out by Mallinckrodt or by Cardinal?   20:39:18     A. I do not know.   20:39:21     MS. FIX MEYER: Objection.   20:39:22     MS. HERZFELD: Okay. Same   20:39:23     standing objection.   20:39:25     QUESTIONS BY MS. HERZFELD:   20:39:25     Q. Okay. And it talks about the   20:39:26
2 3 4 5 6 7 8 9 10 11	summary report for the Cardinal Health suspicious order monitoring audit conducted March 5th through 6th in 2012 in Ohio?  A. Yes. 20:35:53 Q. Okay. Did you create this 20:35:54 document? 20:35:55 A. I don't recall. 20:35:55 Q. Okay. Looking through it, it 20:35:58 says on March 5th, a total of 19 pharmacies 20:36:02 located in Florida were reviewed. 20:36:04 If you look at the second page, 20:36:16	2 3 4 5 6 7 8 9 10 11	Do you recognize this document 20:39:05 as a pharmacy information sheet? 20:39:15 A. Yes. 20:39:17 Q. Do you know if it was filled 20:39:17 out by Mallinckrodt or by Cardinal? 20:39:18 A. I do not know. 20:39:21 MS. FIX MEYER: Objection. 20:39:22 MS. HERZFELD: Okay. Same 20:39:23 standing objection. 20:39:25 QUESTIONS BY MS. HERZFELD: 20:39:25 Q. Okay. And it talks about the 20:39:26 volume of oxycodone sales to this location; 20:39:28
2 3 4 5 6 7 8 9 10 11 12 13	summary report for the Cardinal Health suspicious order monitoring audit conducted 20:35:49  March 5th through 6th in 2012 in Ohio? 20:35:51  A. Yes. 20:35:53 Q. Okay. Did you create this 20:35:54  document? 20:35:55 A. I don't recall. 20:35:55 Q. Okay. Looking through it, it 20:35:58  says on March 5th, a total of 19 pharmacies 20:36:02  located in Florida were reviewed. 20:36:04  If you look at the second page, 20:36:06  page ending in 53271, a total of 20 20:36:16  pharmacies located in non-Florida states were 20:36:22	2 3 4 5 6 7 8 9 10 11 12 13	Do you recognize this document 20:39:05 as a pharmacy information sheet? 20:39:15  A. Yes. 20:39:17 Q. Do you know if it was filled 20:39:17 out by Mallinckrodt or by Cardinal? 20:39:18 A. I do not know. 20:39:21 MS. FIX MEYER: Objection. 20:39:22 MS. HERZFELD: Okay. Same 20:39:23 standing objection. 20:39:25 QUESTIONS BY MS. HERZFELD: 20:39:25 Q. Okay. And it talks about the 20:39:26 volume of oxycodone sales to this location; 20:39:28 is that correct? 20:39:30
2 3 4 5 6 7 8 9 10 11 12 13	summary report for the Cardinal Health suspicious order monitoring audit conducted 20:35:49  March 5th through 6th in 2012 in Ohio? A. Yes. 20:35:53 Q. Okay. Did you create this 20:35:54  document? 20:35:55 A. I don't recall. 20:35:55 Q. Okay. Looking through it, it 20:35:58  says on March 5th, a total of 19 pharmacies 20:36:02  located in Florida were reviewed. 20:36:04 If you look at the second page, 20:36:06  page ending in 53271, a total of 20 20:36:16  pharmacies located in non-Florida states were 20:36:22  reviewed. Of the 20, 11 pharmacies have had 20:35:56	2 3 4 5 6 7 8 9 10 11 12 13	Do you recognize this document 20:39:05 as a pharmacy information sheet? 20:39:15  A. Yes. 20:39:17 Q. Do you know if it was filled 20:39:17 out by Mallinckrodt or by Cardinal? 20:39:18  A. I do not know. 20:39:21  MS. FIX MEYER: Objection. 20:39:22  MS. HERZFELD: Okay. Same 20:39:23 standing objection. 20:39:25  QUESTIONS BY MS. HERZFELD: 20:39:25  Q. Okay. And it talks about the 20:39:26 volume of oxycodone sales to this location; 20:39:28 is that correct? 20:39:30  A. Yes. 20:39:30
2 3 4 5 6 7 8 9 10 11 12 13 14	summary report for the Cardinal Health suspicious order monitoring audit conducted March 5th through 6th in 2012 in Ohio? A. Yes. Q. Okay. Did you create this document? Q0:35:55  A. I don't recall. Q. Okay. Looking through it, it Q0:35:55 Q. Okay. Looking through it, it Q0:35:58 Says on March 5th, a total of 19 pharmacies located in Florida were reviewed. If you look at the second page, Q0:36:04 If you look at the second page, Q0:36:16 pharmacies located in non-Florida states were Q0:36:22 reviewed. Of the 20, 11 pharmacies have had Q0:36:28	2 3 4 5 6 7 8 9 10 11 12 13 14	Do you recognize this document 20:39:05 as a pharmacy information sheet? 20:39:15  A. Yes. 20:39:17 Q. Do you know if it was filled 20:39:17 out by Mallinckrodt or by Cardinal? 20:39:18 A. I do not know. 20:39:21 MS. FIX MEYER: Objection. 20:39:22 MS. HERZFELD: Okay. Same 20:39:23 standing objection. 20:39:25 QUESTIONS BY MS. HERZFELD: 20:39:25 Q. Okay. And it talks about the 20:39:26 volume of oxycodone sales to this location; 20:39:28 is that correct? 20:39:30 A. Yes. 20:39:30 Q. Okay. And then at the bottom 20:39:33
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	summary report for the Cardinal Health suspicious order monitoring audit conducted 20:35:49  March 5th through 6th in 2012 in Ohio? 20:35:51  A. Yes. 20:35:53 Q. Okay. Did you create this 20:35:55 A. I don't recall. 20:35:55 Q. Okay. Looking through it, it 20:35:58  says on March 5th, a total of 19 pharmacies 20:36:02  located in Florida were reviewed. 20:36:04  If you look at the second page, 20:36:06  page ending in 53271, a total of 20 20:36:16  pharmacies located in non-Florida states were 20:36:22  reviewed. Of the 20, 11 pharmacies have had 20:36:28  Cardinal. 20:36:28	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Do you recognize this document 20:39:05 as a pharmacy information sheet? 20:39:15  A. Yes. 20:39:17 Q. Do you know if it was filled 20:39:17 out by Mallinckrodt or by Cardinal? 20:39:18 A. I do not know. 20:39:21 MS. FIX MEYER: Objection. 20:39:22 MS. HERZFELD: Okay. Same 20:39:23 standing objection. 20:39:25 QUESTIONS BY MS. HERZFELD: 20:39:25 Q. Okay. And it talks about the 20:39:26 volume of oxycodone sales to this location; 20:39:28 is that correct? 20:39:30 A. Yes. 20:39:30 Q. Okay. And then at the bottom 20:39:33 it says, "Describe physical location and 20:39:34
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	summary report for the Cardinal Health suspicious order monitoring audit conducted 20:35:49  March 5th through 6th in 2012 in Ohio? A. Yes. 20:35:53 Q. Okay. Did you create this 20:35:55 A. I don't recall. 20:35:55 Q. Okay. Looking through it, it 20:35:58  says on March 5th, a total of 19 pharmacies 20:36:02  located in Florida were reviewed. 20:36:04 If you look at the second page, 20:36:06  page ending in 53271, a total of 20 20:36:16 pharmacies located in non-Florida states were 20:36:22 reviewed. Of the 20, 11 pharmacies have had 20:36:28  Cardinal. 20:36:28  Do you see where that is? 20:36:30	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Do you recognize this document 20:39:05 as a pharmacy information sheet? 20:39:15 A. Yes. 20:39:17 Q. Do you know if it was filled 20:39:17 out by Mallinckrodt or by Cardinal? 20:39:18 A. I do not know. 20:39:21 MS. FIX MEYER: Objection. 20:39:22 MS. HERZFELD: Okay. Same 20:39:23 standing objection. 20:39:25 QUESTIONS BY MS. HERZFELD: 20:39:25 Q. Okay. And it talks about the 20:39:26 volume of oxycodone sales to this location; 20:39:28 is that correct? 20:39:30 A. Yes. 20:39:30 Q. Okay. And then at the bottom 20:39:33 it says, "Describe physical location and 20:39:34 description of pharmacy. Standalone building 20:39:37 on main two-lane road. Services rural 20:39:40
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	summary report for the Cardinal Health suspicious order monitoring audit conducted March 5th through 6th in 2012 in Ohio? A. Yes. Q. Okay. Did you create this document? Q0:35:55  A. I don't recall. Q0:35:55  Q. Okay. Looking through it, it Q0:35:55  Q. Okay. Looking through it, it Q0:35:58  says on March 5th, a total of 19 pharmacies located in Florida were reviewed. Q0:36:04  If you look at the second page, Q0:36:06  page ending in 53271, a total of 20 Q0:36:16  pharmacies located in non-Florida states were pharmacies located in non-Florida states were Q0:36:22  reviewed. Of the 20, 11 pharmacies have had Q0:36:28  Cardinal. Q0:36:28  Do you see where that is? Q0:36:30  Q. Okay. And do you see the list Q0:36:30	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Do you recognize this document 20:39:05 as a pharmacy information sheet? 20:39:15 A. Yes. 20:39:17 Q. Do you know if it was filled 20:39:17 out by Mallinckrodt or by Cardinal? 20:39:18 A. I do not know. 20:39:21 MS. FIX MEYER: Objection. 20:39:22 MS. HERZFELD: Okay. Same 20:39:23 standing objection. 20:39:25 QUESTIONS BY MS. HERZFELD: 20:39:25 Q. Okay. And it talks about the 20:39:26 volume of oxycodone sales to this location; 20:39:28 is that correct? 20:39:30 A. Yes. 20:39:30 Q. Okay. And then at the bottom 20:39:33 it says, "Describe physical location and 20:39:34 description of pharmacy. Standalone building 20:39:40 community. In residential town in Campbell 20:39:44
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	summary report for the Cardinal Health suspicious order monitoring audit conducted 20:35:49  March 5th through 6th in 2012 in Ohio? A. Yes. 20:35:53 Q. Okay. Did you create this 20:35:55 A. I don't recall. 20:35:55 Q. Okay. Looking through it, it 20:35:58  says on March 5th, a total of 19 pharmacies 20:36:02  located in Florida were reviewed. 20:36:04 If you look at the second page, 20:36:06  page ending in 53271, a total of 20 20:36:16 pharmacies located in non-Florida states were 20:36:22 reviewed. Of the 20, 11 pharmacies have had 20:36:28  Cardinal. 20:36:28  Do you see where that is? 20:36:30	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Do you recognize this document 20:39:05 as a pharmacy information sheet? 20:39:15  A. Yes. 20:39:17 Q. Do you know if it was filled 20:39:17 out by Mallinckrodt or by Cardinal? 20:39:18  A. I do not know. 20:39:21  MS. FIX MEYER: Objection. 20:39:22  MS. HERZFELD: Okay. Same 20:39:23 standing objection. 20:39:25  QUESTIONS BY MS. HERZFELD: 20:39:25  Q. Okay. And it talks about the 20:39:26 volume of oxycodone sales to this location; 20:39:28 is that correct? 20:39:30  A. Yes. 20:39:30  Q. Okay. And then at the bottom 20:39:33 it says, "Describe physical location and 20:39:34 description of pharmacy. Standalone building 20:39:40 community. In residential town in Campbell 20:39:44 County." 20:39:46
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	summary report for the Cardinal Health suspicious order monitoring audit conducted 20:35:49  March 5th through 6th in 2012 in Ohio? A. Yes. 20:35:53 Q. Okay. Did you create this 20:35:55 A. I don't recall. 20:35:55 Q. Okay. Looking through it, it 20:35:55 Q. Okay. Looking through it, it 20:35:58  says on March 5th, a total of 19 pharmacies 20:36:02  located in Florida were reviewed. 20:36:04 If you look at the second page, 20:36:06  page ending in 53271, a total of 20 20:36:16 pharmacies located in non-Florida states were 20:36:22 reviewed. Of the 20, 11 pharmacies have had 20:36:26  controlled substance sales restricted by 20:36:28  Cardinal. 20:36:28  Do you see where that is? 20:36:30 Q. Okay. And do you see the list 20:36:30 that says non-Florida, non-restricted? 20:36:36 A. Yes. 20:36:41	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Do you recognize this document 20:39:05 as a pharmacy information sheet? 20:39:15  A. Yes. 20:39:17 Q. Do you know if it was filled 20:39:17 out by Mallinckrodt or by Cardinal? 20:39:18  A. I do not know. 20:39:21  MS. FIX MEYER: Objection. 20:39:22  MS. HERZFELD: Okay. Same 20:39:23 standing objection. 20:39:25  QUESTIONS BY MS. HERZFELD: 20:39:25  Q. Okay. And it talks about the 20:39:26 volume of oxycodone sales to this location; 20:39:28 is that correct? 20:39:30  A. Yes. 20:39:30  Q. Okay. And then at the bottom 20:39:33 it says, "Describe physical location and 20:39:34 description of pharmacy. Standalone building 20:39:40 community. In residential town in Campbell 20:39:44 County." 20:39:46
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	summary report for the Cardinal Health suspicious order monitoring audit conducted 20:35:49  March 5th through 6th in 2012 in Ohio? A. Yes. 20:35:53 Q. Okay. Did you create this 20:35:55 A. I don't recall. 20:35:55 Q. Okay. Looking through it, it 20:35:55 Q. Okay. Looking through it, it 20:35:58  says on March 5th, a total of 19 pharmacies 20:36:02  located in Florida were reviewed. 20:36:04 If you look at the second page, 20:36:06  page ending in 53271, a total of 20 20:36:16 pharmacies located in non-Florida states were 20:36:22 reviewed. Of the 20, 11 pharmacies have had 20:36:26  controlled substance sales restricted by 20:36:28  Cardinal. 20:36:28  Do you see where that is? 20:36:30 Q. Okay. And do you see the list 20:36:30 that says non-Florida, non-restricted? 20:36:36 A. Yes. 20:36:41	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Do you recognize this document 20:39:05 as a pharmacy information sheet? 20:39:15 A. Yes. 20:39:17 Q. Do you know if it was filled 20:39:17 out by Mallinckrodt or by Cardinal? 20:39:18 A. I do not know. 20:39:21 MS. FIX MEYER: Objection. 20:39:22 MS. HERZFELD: Okay. Same 20:39:23 standing objection. 20:39:25 QUESTIONS BY MS. HERZFELD: 20:39:25 Q. Okay. And it talks about the 20:39:26 volume of oxycodone sales to this location; 20:39:28 is that correct? 20:39:30 A. Yes. 20:39:30 Q. Okay. And then at the bottom 20:39:33 it says, "Describe physical location and 20:39:34 description of pharmacy. Standalone building 20:39:37 on main two-lane road. Services rural 20:39:40 community. In residential town in Campbell 20:39:44 County." 20:39:46 Did I read that correctly? 20:39:46 A. Yes. 20:39:47
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	summary report for the Cardinal Health suspicious order monitoring audit conducted 20:35:49  March 5th through 6th in 2012 in Ohio? 20:35:51  A. Yes. 20:35:53 Q. Okay. Did you create this 20:35:54  document? 20:35:55 A. I don't recall. 20:35:55 Q. Okay. Looking through it, it 20:35:58  says on March 5th, a total of 19 pharmacies 20:36:02  located in Florida were reviewed. 20:36:04  If you look at the second page, 20:36:06  page ending in 53271, a total of 20 20:36:16  pharmacies located in non-Florida states were 20:36:22  reviewed. Of the 20, 11 pharmacies have had 20:36:28  Cardinal. 20:36:28  Do you see where that is? 20:36:30  Q. Okay. And do you see the list 20:36:30  that says non-Florida, non-restricted? 20:36:36  A. Yes. 20:36:41  Q. And what is the one at the 20:36:41	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Do you recognize this document 20:39:05 as a pharmacy information sheet? 20:39:15 A. Yes. 20:39:17 Q. Do you know if it was filled 20:39:17 out by Mallinckrodt or by Cardinal? 20:39:18 A. I do not know. 20:39:21 MS. FIX MEYER: Objection. 20:39:22 MS. HERZFELD: Okay. Same 20:39:23 standing objection. 20:39:25 QUESTIONS BY MS. HERZFELD: 20:39:25 Q. Okay. And it talks about the 20:39:26 volume of oxycodone sales to this location; 20:39:28 is that correct? 20:39:30 A. Yes. 20:39:30 Q. Okay. And then at the bottom 20:39:33 it says, "Describe physical location and 20:39:34 description of pharmacy. Standalone building 20:39:37 on main two-lane road. Services rural 20:39:40 community. In residential town in Campbell 20:39:44 County." 20:39:46 Did I read that correctly? 20:39:46 A. Yes. 20:39:47
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	summary report for the Cardinal Health suspicious order monitoring audit conducted 20:35:49  March 5th through 6th in 2012 in Ohio? 20:35:51  A. Yes. 20:35:53 Q. Okay. Did you create this 20:35:54  document? 20:35:55 A. I don't recall. 20:35:55 Q. Okay. Looking through it, it 20:35:58  says on March 5th, a total of 19 pharmacies 20:36:02  located in Florida were reviewed. 20:36:04  If you look at the second page, 20:36:06  page ending in 53271, a total of 20 20:36:16  pharmacies located in non-Florida states were 20:36:22  reviewed. Of the 20, 11 pharmacies have had 20:36:26  controlled substance sales restricted by 20:36:28  Cardinal. 20:36:28  Do you see where that is? 20:36:30  Q. Okay. And do you see the list 20:36:30  that says non-Florida, non-restricted? 20:36:36  A. Yes. 20:36:41  Q. And what is the one at the 20:36:41  bottom there? 20:36:42	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Do you recognize this document 20:39:05 as a pharmacy information sheet? 20:39:15 A. Yes. 20:39:17 Q. Do you know if it was filled 20:39:17 out by Mallinckrodt or by Cardinal? 20:39:18 A. I do not know. 20:39:21 MS. FIX MEYER: Objection. 20:39:22 MS. HERZFELD: Okay. Same 20:39:23 standing objection. 20:39:25 QUESTIONS BY MS. HERZFELD: 20:39:25 Q. Okay. And it talks about the 20:39:26 volume of oxycodone sales to this location; 20:39:28 is that correct? 20:39:30 A. Yes. 20:39:30 Q. Okay. And then at the bottom 20:39:33 it says, "Describe physical location and 20:39:34 description of pharmacy. Standalone building 20:39:37 on main two-lane road. Services rural 20:39:40 community. In residential town in Campbell 20:39:44 County." 20:39:46 Did I read that correctly? 20:39:46 A. Yes. 20:39:47 Q. Okay. And did Mallinckrodt do 20:39:47

	Page 574		Page 576
1	(Mallinckrodt-Harper Exhibit 54 20:39:53	1	QUESTIONS BY MS. HERZFELD: 20:42:03
2	marked for identification.) 20:39:53	2	Q. Okay. And then when it says, 20:42:04
3	QUESTIONS BY MS. HERZFELD: 20:39:53	3	"notes, all Riggs have been capped," talking 20:42:06
4	Q. Okay. Okay. I'm handing you 20:39:54	4	about per Cardinal Health, they believe the 20:42:08
5	Exhibit 54, MNK_TNSTA00607869. 20:40:14	5	Jacksboro store has made progress, Cardinal 20:42:10
6	Do you recognize this as a 20:40:21	6	is being referred to as "they." 20:42:13
7	pharmacy information sheet dated 11/30/2012 20:40:23	7	So do you believe that note was 20:42:14
8	for the Riggs Drug in La Follette, Tennessee? 20:40:29	8	made by somebody at Mallinckrodt? 20:42:16
9	A. Yes. 20:40:33	9	MR. O'CONNOR: Objection to 20:42:18
10	Q. Okay. And do you know if 20:40:33	10	form. 20:42:19
11	someone from Mallinckrodt filled this out or 20:40:35	11	THE WITNESS: Yes. 20:42:19
12	somebody from Cardinal filled it out? 20:40:39	12	QUESTIONS BY MS. HERZFELD: 20:42:19
13	MR. O'CONNOR: Objection to 20:40:41	13	Q. Okay. And so do you know 20:42:20
14	form. 20:40:41	14	anything about Riggs 15 and 30s being capped? 20:42:23
15	MS. FIX MEYER: Objection. 20:40:43	15	A. It says it here, but I don't 20:42:27
16	THE WITNESS: No. 20:40:43	16	recall. 20:42:29
17	QUESTIONS BY MS. HERZFELD: 20:40:43	17	Q. Okay. And what does it mean to 20:42:29
18	Q. Okay. And could you please 20:40:43	18	cap someone at 15 and 30s? 20:42:30
19	read to me what it says and describe the 20:40:44	19	A. It means a limit was placed on 20:42:35
20	physical description and location of the 20:40:45	20	the amount of oxycodone 15s and 30s that a 20:42:38
21	pharmacy? 20:40:46	21	particular pharmacy could receive from a 20:42:41
22	A. "La Follette, Tennessee, is a 20:40:48	22	distributor. 20:42:45
23	small town of 7,926 located northwest of 20:40:50	23	Q. Okay. And why would why 20:42:45
24	Knoxville. The pharmacy is located in a 20:40:55	24	would that happen? Why would a cap be put 20:42:47
25	spacious standalone building with a large 20:40:58	25	on? 20:42:49
	Page 575		Page 577
	20.41.01		
1	parking area. It shares a small amount of 20:41:01	1	A. So this is part of Cardinal's 20:42:49
2	space with a medical clinic, which is in the 20:41:03	2	A. So this is part of Cardinal's 20:42:49 program, and I can't answer the question. 20:42:53
			1
2	space with a medical clinic, which is in the 20:41:03	2	program, and I can't answer the question. 20:42:53
2	space with a medical clinic, which is in the 20:41:03 process of moving to a larger building. The 20:41:06	2 3	program, and I can't answer the question. 20:42:53 Q. Okay. When it says, "They 20:42:55
2 3 4	space with a medical clinic, which is in the 20:41:03 process of moving to a larger building. The 20:41:06 pharmacy is located on the primary business 20:41:10	2 3 4	program, and I can't answer the question. 20:42:53  Q. Okay. When it says, "They 20:42:55 believe the Jacksboro store has made 20:42:57
2 3 4 5	space with a medical clinic, which is in the process of moving to a larger building. The pharmacy is located on the primary business 20:41:10 street and the state highway through town." 20:41:13	2 3 4 5	program, and I can't answer the question. 20:42:53 Q. Okay. When it says, "They 20:42:55 believe the Jacksboro store has made 20:42:57 progress. One store fills 12,000 scripts per 20:43:00
2 3 4 5 6	space with a medical clinic, which is in the process of moving to a larger building. The pharmacy is located on the primary business 20:41:10 street and the state highway through town." 20:41:13  Q. Okay. And down at the bottom, 20:41:16	2 3 4 5 6	program, and I can't answer the question. 20:42:53 Q. Okay. When it says, "They 20:42:55 believe the Jacksboro store has made 20:42:57 progress. One store fills 12,000 scripts per 20:43:00 month, another fills 5,000," does that mean 20:43:03
2 3 4 5 6 7	space with a medical clinic, which is in the 20:41:03 process of moving to a larger building. The 20:41:06 pharmacy is located on the primary business 20:41:10 street and the state highway through town." 20:41:13 Q. Okay. And down at the bottom, 20:41:16 the notes, could you read that for me, 20:41:18	2 3 4 5 6 7	program, and I can't answer the question. 20:42:53 Q. Okay. When it says, "They 20:42:55 believe the Jacksboro store has made 20:42:57 progress. One store fills 12,000 scripts per 20:43:00 month, another fills 5,000," does that mean 20:43:03 that the numbers went down? 20:43:06
2 3 4 5 6 7 8	space with a medical clinic, which is in the process of moving to a larger building. The pharmacy is located on the primary business 20:41:10 street and the state highway through town." 20:41:13  Q. Okay. And down at the bottom, 20:41:16 the notes, could you read that for me, 20:41:18 please? 20:41:21	2 3 4 5 6 7 8	program, and I can't answer the question. 20:42:53 Q. Okay. When it says, "They 20:42:55 believe the Jacksboro store has made 20:42:57 progress. One store fills 12,000 scripts per 20:43:00 month, another fills 5,000," does that mean 20:43:03 that the numbers went down? 20:43:06 MR. O'CONNOR: Objection to 20:43:07
2 3 4 5 6 7 8	space with a medical clinic, which is in the process of moving to a larger building. The pharmacy is located on the primary business 20:41:10 street and the state highway through town." 20:41:13  Q. Okay. And down at the bottom, 20:41:16 the notes, could you read that for me, 20:41:18 please? 20:41:21  A. Yes. 20:41:21	2 3 4 5 6 7 8	program, and I can't answer the question. 20:42:53 Q. Okay. When it says, "They 20:42:55 believe the Jacksboro store has made 20:42:57 progress. One store fills 12,000 scripts per 20:43:00 month, another fills 5,000," does that mean 20:43:03 that the numbers went down? 20:43:06 MR. O'CONNOR: Objection to 20:43:07 form. 20:43:07
2 3 4 5 6 7 8 9	space with a medical clinic, which is in the process of moving to a larger building. The pharmacy is located on the primary business 20:41:10 pharmacy is located on the primary business 20:41:13  Q. Okay. And down at the bottom, 20:41:16 pharmacy could you read that for me, 20:41:18 please? 20:41:21  A. Yes. 20:41:21  A. Yes. 20:41:21  All Riggs 15/30s capped. Have 20:41:22	2 3 4 5 6 7 8 9	program, and I can't answer the question. 20:42:53 Q. Okay. When it says, "They 20:42:55 believe the Jacksboro store has made 20:42:57 progress. One store fills 12,000 scripts per 20:43:00 month, another fills 5,000," does that mean 20:43:03 that the numbers went down? 20:43:06 MR. O'CONNOR: Objection to 20:43:07 form. 20:43:07 THE WITNESS: I don't know. 20:43:07
2 3 4 5 6 7 8 9 10	space with a medical clinic, which is in the process of moving to a larger building. The pharmacy is located on the primary business 20:41:10 street and the state highway through town." 20:41:13  Q. Okay. And down at the bottom, 20:41:16 the notes, could you read that for me, 20:41:21  A. Yes. 20:41:21  "All Riggs 15/30s capped. Have 20:41:22 stopped prescribing for certain docs. Per 20:41:28	2 3 4 5 6 7 8 9 10	program, and I can't answer the question.  Q. Okay. When it says, "They 20:42:55  believe the Jacksboro store has made 20:42:57  progress. One store fills 12,000 scripts per 20:43:00  month, another fills 5,000," does that mean 20:43:03  that the numbers went down? 20:43:06  MR. O'CONNOR: Objection to 20:43:07  form. 20:43:07  THE WITNESS: I don't know. 20:43:07  QUESTIONS BY MS. HERZFELD: 20:43:08
2 3 4 5 6 7 8 9 10 11	space with a medical clinic, which is in the process of moving to a larger building. The pharmacy is located on the primary business 20:41:10 street and the state highway through town." 20:41:13  Q. Okay. And down at the bottom, 20:41:16 the notes, could you read that for me, 20:41:21  A. Yes. 20:41:21  "All Riggs 15/30s capped. Have 20:41:22 stopped prescribing for certain docs. Per 20:41:28 Cardinal Health" that's the abbreviation 20:41:37	2 3 4 5 6 7 8 9 10 11	program, and I can't answer the question. Q. Okay. When it says, "They 20:42:55 believe the Jacksboro store has made 20:42:57 progress. One store fills 12,000 scripts per 20:43:00 month, another fills 5,000," does that mean 20:43:03 that the numbers went down? 20:43:06 MR. O'CONNOR: Objection to 20:43:07 form. 20:43:07 THE WITNESS: I don't know. 20:43:07 QUESTIONS BY MS. HERZFELD: 20:43:08 Q. Okay. Do you know if you had a 20:43:08
2 3 4 5 6 7 8 9 10 11 12 13	space with a medical clinic, which is in the process of moving to a larger building. The pharmacy is located on the primary business 20:41:10 street and the state highway through town." 20:41:13  Q. Okay. And down at the bottom, 20:41:16 the notes, could you read that for me, 20:41:21  A. Yes. 20:41:21  "All Riggs 15/30s capped. Have 20:41:22 stopped prescribing for certain docs. Per 20:41:28  Cardinal Health" that's the abbreviation 20:41:37 for Cardinal Health "they believe 20:41:38	2 3 4 5 6 7 8 9 10 11 12 13	program, and I can't answer the question. Q. Okay. When it says, "They 20:42:55 believe the Jacksboro store has made 20:42:57 progress. One store fills 12,000 scripts per 20:43:00 month, another fills 5,000," does that mean 20:43:03 that the numbers went down? 20:43:06 MR. O'CONNOR: Objection to 20:43:07 form. 20:43:07 THE WITNESS: I don't know. 20:43:07 QUESTIONS BY MS. HERZFELD: 20:43:08 Q. Okay. Do you know if you had a 20:43:08 concern about diversion from these Riggs 20:43:11
2 3 4 5 6 7 8 9 10 11 12 13	space with a medical clinic, which is in the process of moving to a larger building. The pharmacy is located on the primary business 20:41:10 street and the state highway through town." 20:41:13  Q. Okay. And down at the bottom, 20:41:16 the notes, could you read that for me, 20:41:21  A. Yes. 20:41:21  "All Riggs 15/30s capped. Have 20:41:22 stopped prescribing for certain docs. Per 20:41:28  Cardinal Health" that's the abbreviation 20:41:37 for Cardinal Health "they believe 20:41:38  Jacksboro store has made progress. One store 20:41:42	2 3 4 5 6 7 8 9 10 11 12 13	program, and I can't answer the question.  Q. Okay. When it says, "They 20:42:55  believe the Jacksboro store has made 20:42:57  progress. One store fills 12,000 scripts per 20:43:00  month, another fills 5,000," does that mean 20:43:03  that the numbers went down? 20:43:06  MR. O'CONNOR: Objection to 20:43:07  form. 20:43:07  THE WITNESS: I don't know. 20:43:07  QUESTIONS BY MS. HERZFELD: 20:43:08  Q. Okay. Do you know if you had a concern about diversion from these Riggs 20:43:11  pharmacies in Campbell County? 20:43:15
2 3 4 5 6 7 8 9 10 11 12 13 14	space with a medical clinic, which is in the process of moving to a larger building. The pharmacy is located on the primary business 20:41:10 street and the state highway through town." 20:41:13 Q. Okay. And down at the bottom, 20:41:16 the notes, could you read that for me, 20:41:21 A. Yes. 20:41:21 "All Riggs 15/30s capped. Have 20:41:22 stopped prescribing for certain docs. Per 20:41:28 Cardinal Health" that's the abbreviation 20:41:37 for Cardinal Health "they believe 20:41:38 Jacksboro store has made progress. One store 20:41:42 fills 12,000 scripts per month, another fills 20:41:44	2 3 4 5 6 7 8 9 10 11 12 13 14	program, and I can't answer the question. Q. Okay. When it says, "They 20:42:55 believe the Jacksboro store has made 20:42:57 progress. One store fills 12,000 scripts per 20:43:00 month, another fills 5,000," does that mean 20:43:03 that the numbers went down? 20:43:06 MR. O'CONNOR: Objection to 20:43:07 form. 20:43:07 THE WITNESS: I don't know. 20:43:07 QUESTIONS BY MS. HERZFELD: 20:43:08 Q. Okay. Do you know if you had a concern about diversion from these Riggs 20:43:11 pharmacies in Campbell County? 20:43:15 MR. O'CONNOR: Objection to 20:43:17
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	space with a medical clinic, which is in the process of moving to a larger building. The pharmacy is located on the primary business 20:41:10 street and the state highway through town." 20:41:13  Q. Okay. And down at the bottom, 20:41:16 the notes, could you read that for me, 20:41:21  A. Yes. 20:41:21  "All Riggs 15/30s capped. Have 20:41:22 stopped prescribing for certain docs. Per 20:41:28 Cardinal Health" that's the abbreviation 20:41:37 for Cardinal Health "they believe 20:41:38  Jacksboro store has made progress. One store 20:41:42 fills 12,000 scripts per month, another fills 20:41:44 5,000." 20:41:48	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	program, and I can't answer the question. Q. Okay. When it says, "They 20:42:55 believe the Jacksboro store has made 20:42:57 progress. One store fills 12,000 scripts per 20:43:00 month, another fills 5,000," does that mean 20:43:03 that the numbers went down? 20:43:06 MR. O'CONNOR: Objection to 20:43:07 form. 20:43:07 THE WITNESS: I don't know. 20:43:07 QUESTIONS BY MS. HERZFELD: 20:43:08 Q. Okay. Do you know if you had a 20:43:08 concern about diversion from these Riggs 20:43:11 pharmacies in Campbell County? 20:43:15 MR. O'CONNOR: Objection to 20:43:17 form. 20:43:18
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	space with a medical clinic, which is in the process of moving to a larger building. The pharmacy is located on the primary business 20:41:10 street and the state highway through town." 20:41:13 Q. Okay. And down at the bottom, 20:41:16 the notes, could you read that for me, 20:41:18 please? 20:41:21 A. Yes. 20:41:21 and Talk Riggs 15/30s capped. Have 20:41:22 stopped prescribing for certain docs. Per 20:41:28 Cardinal Health" that's the abbreviation 20:41:37 for Cardinal Health "they believe 20:41:38 Jacksboro store has made progress. One store 20:41:42 fills 12,000 scripts per month, another fills 20:41:44 5,000." 20:41:48	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	program, and I can't answer the question. Q. Okay. When it says, "They 20:42:55 believe the Jacksboro store has made 20:42:57 progress. One store fills 12,000 scripts per 20:43:00 month, another fills 5,000," does that mean 20:43:03 that the numbers went down? 20:43:06 MR. O'CONNOR: Objection to 20:43:07 form. 20:43:07 THE WITNESS: I don't know. 20:43:07 QUESTIONS BY MS. HERZFELD: 20:43:08 Q. Okay. Do you know if you had a concern about diversion from these Riggs 20:43:11 pharmacies in Campbell County? 20:43:15 MR. O'CONNOR: Objection to 20:43:17 form. 20:43:18 THE WITNESS: So by virtue of 20:43:18
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	space with a medical clinic, which is in the process of moving to a larger building. The pharmacy is located on the primary business 20:41:10 street and the state highway through town." 20:41:13 Q. Okay. And down at the bottom, 20:41:16 the notes, could you read that for me, 20:41:21 A. Yes. 20:41:21 "All Riggs 15/30s capped. Have 20:41:22 stopped prescribing for certain docs. Per 20:41:28 Cardinal Health" that's the abbreviation 20:41:37 for Cardinal Health "they believe 20:41:38 Jacksboro store has made progress. One store 20:41:42 fills 12,000 scripts per month, another fills 20:41:44 5,000." 20:41:48 Q. Okay. So the information 20:41:50 that's included in the physical location 20:41:51	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	program, and I can't answer the question. Q. Okay. When it says, "They 20:42:55 believe the Jacksboro store has made 20:42:57 progress. One store fills 12,000 scripts per 20:43:00 month, another fills 5,000," does that mean 20:43:03 that the numbers went down? 20:43:06 MR. O'CONNOR: Objection to 20:43:07 form. 20:43:07 THE WITNESS: I don't know. 20:43:07 QUESTIONS BY MS. HERZFELD: 20:43:08 Q. Okay. Do you know if you had a concern about diversion from these Riggs 20:43:11 pharmacies in Campbell County? 20:43:15 MR. O'CONNOR: Objection to 20:43:17 form. 20:43:18 THE WITNESS: So by virtue of 20:43:18 the fact we had a pharmacy information 20:43:20
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	space with a medical clinic, which is in the process of moving to a larger building. The pharmacy is located on the primary business 20:41:10 street and the state highway through town." 20:41:13 Q. Okay. And down at the bottom, 20:41:16 the notes, could you read that for me, 20:41:18 please? 20:41:21 A. Yes. 20:41:21 "All Riggs 15/30s capped. Have 20:41:22 stopped prescribing for certain docs. Per 20:41:28 Cardinal Health" that's the abbreviation 20:41:37 for Cardinal Health "they believe 20:41:38 Jacksboro store has made progress. One store 20:41:42 fills 12,000 scripts per month, another fills 20:41:44 5,000." 20:41:48 Q. Okay. So the information 20:41:50 that's included in the physical location 20:41:51 about the size of La Follette, Tennessee, and 20:41:53	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	program, and I can't answer the question. Q. Okay. When it says, "They 20:42:55 believe the Jacksboro store has made 20:42:57 progress. One store fills 12,000 scripts per 20:43:00 month, another fills 5,000," does that mean 20:43:03 that the numbers went down? 20:43:06 MR. O'CONNOR: Objection to 20:43:07 form. 20:43:07 THE WITNESS: I don't know. 20:43:07 QUESTIONS BY MS. HERZFELD: 20:43:08 Q. Okay. Do you know if you had a 20:43:08 concern about diversion from these Riggs 20:43:11 pharmacies in Campbell County? 20:43:15 MR. O'CONNOR: Objection to 20:43:17 form. 20:43:18 THE WITNESS: So by virtue of 20:43:20 sheet, it means we discussed these 20:43:22
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	space with a medical clinic, which is in the process of moving to a larger building. The pharmacy is located on the primary business 20:41:10 street and the state highway through town." 20:41:13 Q. Okay. And down at the bottom, 20:41:16 the notes, could you read that for me, 20:41:18 please? 20:41:21 A. Yes. 20:41:21 "All Riggs 15/30s capped. Have 20:41:22 stopped prescribing for certain docs. Per 20:41:28 Cardinal Health" that's the abbreviation 20:41:37 for Cardinal Health "they believe 20:41:38 Jacksboro store has made progress. One store 20:41:42 fills 12,000 scripts per month, another fills 20:41:44 5,000." 20:41:48 Q. Okay. So the information 20:41:50 that's included in the physical location 20:41:51 about the size of La Follette, Tennessee, and 20:41:53 description of the building, that's 20:41:58	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	program, and I can't answer the question. Q. Okay. When it says, "They 20:42:55 believe the Jacksboro store has made 20:42:57 progress. One store fills 12,000 scripts per 20:43:00 month, another fills 5,000," does that mean 20:43:03 that the numbers went down? 20:43:06 MR. O'CONNOR: Objection to 20:43:07 form. 20:43:07 THE WITNESS: I don't know. 20:43:07 QUESTIONS BY MS. HERZFELD: 20:43:08 Q. Okay. Do you know if you had a 20:43:08 concern about diversion from these Riggs 20:43:11 pharmacies in Campbell County? 20:43:15 MR. O'CONNOR: Objection to 20:43:17 form. 20:43:18 THE WITNESS: So by virtue of 20:43:18 the fact we had a pharmacy information 20:43:20 sheet, it means we discussed these 20:43:25 distributor that was selling to them. 20:43:27 So it was a point of discussion for 20:43:29
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	space with a medical clinic, which is in the process of moving to a larger building. The pharmacy is located on the primary business 20:41:10 street and the state highway through town." 20:41:13 Q. Okay. And down at the bottom, 20:41:16 the notes, could you read that for me, 20:41:21 A. Yes. 20:41:21 "All Riggs 15/30s capped. Have 20:41:22 stopped prescribing for certain docs. Per 20:41:28 Cardinal Health" that's the abbreviation 20:41:37 for Cardinal Health "they believe 20:41:38 Jacksboro store has made progress. One store 20:41:42 fills 12,000 scripts per month, another fills 20:41:44 5,000." 20:41:48 Q. Okay. So the information 20:41:51 about the size of La Follette, Tennessee, and 20:41:53 description of the building, that's information that was known to Mallinckrodt; 20:41:59	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	program, and I can't answer the question. Q. Okay. When it says, "They 20:42:55 believe the Jacksboro store has made 20:42:57 progress. One store fills 12,000 scripts per 20:43:00 month, another fills 5,000," does that mean 20:43:03 that the numbers went down? 20:43:06 MR. O'CONNOR: Objection to 20:43:07 form. 20:43:07 THE WITNESS: I don't know. 20:43:07 QUESTIONS BY MS. HERZFELD: 20:43:08 Q. Okay. Do you know if you had a 20:43:08 concern about diversion from these Riggs 20:43:11 pharmacies in Campbell County? 20:43:15 MR. O'CONNOR: Objection to 20:43:17 form. 20:43:18 THE WITNESS: So by virtue of 20:43:18 the fact we had a pharmacy information 20:43:20 sheet, it means we discussed these 20:43:25 distributor that was selling to them. 20:43:27 So it was a point of discussion for 20:43:29 further review. 20:43:34
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	space with a medical clinic, which is in the process of moving to a larger building. The pharmacy is located on the primary business 20:41:10 street and the state highway through town." 20:41:13 Q. Okay. And down at the bottom, 20:41:16 the notes, could you read that for me, 20:41:21 A. Yes. 20:41:21 "All Riggs 15/30s capped. Have 20:41:22 stopped prescribing for certain docs. Per 20:41:28 Cardinal Health" that's the abbreviation 20:41:37 for Cardinal Health "they believe 20:41:38 Jacksboro store has made progress. One store 20:41:42 fills 12,000 scripts per month, another fills 20:41:44 5,000." 20:41:48 Q. Okay. So the information 20:41:50 that's included in the physical location 20:41:51 about the size of La Follette, Tennessee, and 20:41:53 description of the building, that's 20:41:58 information that was known to Mallinckrodt; 20:41:59 is that correct? 20:42:02 MR. O'CONNOR: Objection to 20:42:02 form. 20:42:03	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	program, and I can't answer the question. Q. Okay. When it says, "They 20:42:55 believe the Jacksboro store has made 20:42:57 progress. One store fills 12,000 scripts per 20:43:00 month, another fills 5,000," does that mean 20:43:03 that the numbers went down? 20:43:06 MR. O'CONNOR: Objection to 20:43:07 form. 20:43:07 THE WITNESS: I don't know. 20:43:07 QUESTIONS BY MS. HERZFELD: 20:43:08 Q. Okay. Do you know if you had a 20:43:08 concern about diversion from these Riggs 20:43:11 pharmacies in Campbell County? 20:43:15 MR. O'CONNOR: Objection to 20:43:17 form. 20:43:18 THE WITNESS: So by virtue of 20:43:18 the fact we had a pharmacy information 20:43:20 sheet, it means we discussed these 20:43:22 pharmacies with Cardinal and any other 20:43:25 distributor that was selling to them. 20:43:27 So it was a point of discussion for 20:43:34 QUESTIONS BY MS. HERZFELD: 20:43:34
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	space with a medical clinic, which is in the process of moving to a larger building. The pharmacy is located on the primary business 20:41:10 street and the state highway through town." 20:41:13 Q. Okay. And down at the bottom, 20:41:16 the notes, could you read that for me, 20:41:18 please? 20:41:21 A. Yes. 20:41:21 "All Riggs 15/30s capped. Have 20:41:22 stopped prescribing for certain docs. Per 20:41:28 Cardinal Health" that's the abbreviation 20:41:37 for Cardinal Health "they believe 20:41:38 Jacksboro store has made progress. One store 20:41:42 fills 12,000 scripts per month, another fills 20:41:44 5,000." 20:41:48 Q. Okay. So the information 20:41:50 that's included in the physical location 20:41:51 about the size of La Follette, Tennessee, and 20:41:53 description of the building, that's 20:41:58 information that was known to Mallinckrodt; 20:41:59 is that correct? 20:42:02 MR. O'CONNOR: Objection to 20:42:02	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	program, and I can't answer the question. Q. Okay. When it says, "They 20:42:55 believe the Jacksboro store has made 20:42:57 progress. One store fills 12,000 scripts per 20:43:00 month, another fills 5,000," does that mean 20:43:03 that the numbers went down? 20:43:06 MR. O'CONNOR: Objection to 20:43:07 form. 20:43:07 THE WITNESS: I don't know. 20:43:07 QUESTIONS BY MS. HERZFELD: 20:43:08 Q. Okay. Do you know if you had a 20:43:08 concern about diversion from these Riggs 20:43:11 pharmacies in Campbell County? 20:43:15 MR. O'CONNOR: Objection to 20:43:17 form. 20:43:18 THE WITNESS: So by virtue of 20:43:18 the fact we had a pharmacy information 20:43:20 sheet, it means we discussed these 20:43:25 distributor that was selling to them. 20:43:27 So it was a point of discussion for 20:43:34

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	Page 578		Page 580
1	about whether there was potential diversion 20:43:37	1	r
2	at these Riggs pharmacies? 20:43:39	2	oh, yes, I do see an identifier on the 20:46:56
3	A. Yes. 20:43:42	3	spreadsheet itself. Yes, Riggs pharmacies. 20:46:59
4	Q. Okay. And at no time did 20:43:43	4	Q. Okay. Great. 20:47:00
5	Mallinckrodt do chargeback restrictions for 20:43:48	5	In looking here, it's kind of 20:47:01
6	Riggs pharmacies, according to that chart we 20:43:51	6	hard to review it all. One, two if you 20:47:09
7	saw; is that correct? 20:43:54	7	look on page 3, down at the bottom, the 20:47:12
8	MR. O'CONNOR: Objection to 20:43:54	8	orange line, it says, "Oxycodone 30-milligram 20:47:35
9	form. 20:43:55	9	tablets." 20:47:38
10	THE WITNESS: So, yes, and I 20:43:55	10	Do you see where I'm at? 20:47:39
11	misspoke when I said that we had. 20:43:57	11	A. Yes. 20:47:40
12	According to the chart, Riggs 20:44:00	12	Q. Okay. And it indicates that 20:47:41
13	pharmacies were not restricted 20:44:02	13	Cardinal Health shipped 292,600 oxycodone 20:47:44
14	QUESTIONS BY MS. HERZFELD: 20:44:03	14	30-milligram tablets to Riggs Drug in La 20:47:52
15	Q. Okay. 20:44:03	15	Follette, Tennessee, in the calendar year 20:47:56
16	A from chargeback processing. 20:44:04	16	2012; is that correct? 20:48:00
17	Q. Okay. And so that means, to 20:44:05	17	A. So the data began November 20:48:01
18	your knowledge, Riggs pharmacies could 20:44:07	18	of 2011. 20:48:08
19	continue to receive oxycodone 15 and 30s? 20:44:09	19	Q. Oh, you are correct. 20:48:08
20	A. Yes. 20:44:13	20	So from November 2011 to 20:48:10
21	Q. Okay. Thank you. 20:44:15	21	November 2012? 20:48:14
22	(Mallinckrodt-Harper Exhibit 55 20:44:18	22	A. Yes. 20:48:15
23	marked for identification.) 20:44:18	23	Q. Okay. And then it says 20:48:17
24	QUESTIONS BY MS. HERZFELD: 20:44:18	24	HD Smith shipped 30 milligrams of oxycodone 20:48:18
25	Q. Okay. 55, marking Plaintiff's 20:44:42	25	to that same Riggs location, 1,200 tablets. 20:48:24
	Page 579		Page 581
1	Exhibit 55 here. It's MNK_TNSTA00612647. 20:45:06	1	Am I reading that correctly? 20:48:29
2	Take a look at this for me, please. 20:45:15	2	A. Yes. 20:48:32
3	The file name for this document 20:45:44	3	Q. Okay. Okay. Staying on page 3 20:48:32
4	is "Riggs pharmacies all sales run 20:45:45	4	with me there, the last blue line, it says 20:49:02
5	11/30/2012"; is that correct? 20:45:49	5	oxycodone 15-milligram tablets here for the 20:49:07
6	A. Yes. 20:45:50	6	same Riggs store in La Follette, Tennessee. 20:49:08
7	Q. Did you create this document? 20:45:51	7	Do you see where I am now? 20:49:10
8	A. No. 20:45:52	8	A. Yes. 20:49:12
9	Q. Did you direct that it be 20:45:53	9	Q. Okay. And it says that 20:49:12
10	created? 20:45:56	10	Cardinal Health shipped 84,000 tablets during 20:49:13
11	A. I'm not certain. 20:45:58	11	that same time period; is that correct? 20:49:15
12	Q. Okay. Okay. If you'll look 20:46:00	12	A. Yes. 20:49:17
13	with me on page 3. 20:46:19	13	Q. Okay. So if you add those two 20:49:20
14	A. I'm sorry. Oh, yes. 20:46:24	14	together, I submit to you that would be 20:49:27
15	Q. Do you see that? 20:46:25	15	377,600 Mallinckrodt-made oxycodone 20:49:31
16	A. Yes. Yes. 20:46:26	16	15-milligram and 30-milligram tablets going 20:49:37
17	Q. Okay. Does this appear to be a 20:46:27	17	to that one pharmacy in that period of 20:49:39
18	report based on chargeback data to you, 20:46:28	18	November 2011 to November 2012. 20:49:43
19	ma'am? 20:46:30	19	Does that sound correct? 20:49:46
20	A. Yes. 20:46:30	20	MR. O'CONNOR: Objection to 20:49:47
21	Q. Okay. And it appears to be a 20:46:31	21	form. 20:49:48
		22	THE WITNESS: Yes. 20:49:48
22	report about the Riggs Drug stores in the 20:46:32		
23	Riggs Drug stores we were discussing; is that 20:46:39	23	QUESTIONS BY MS. HERZFELD: 20:49:48
23 24	Riggs Drug stores we were discussing; is that 20:46:39 correct? Jacksboro, La Follette and Powell? 20:46:43	23 24	QUESTIONS BY MS. HERZFELD: 20:49:48 Q. Okay. And that's just to one 20:49:49
23	Riggs Drug stores we were discussing; is that 20:46:39	23	QUESTIONS BY MS. HERZFELD: 20:49:48

	Page 582		Page 584
1	county; is that right? 20:49:58	1	form. 20:51:35
2	MR. O'CONNOR: Object to form. 20:49:59	2	THE WITNESS: So the factors 20:51:35
3	THE WITNESS: Yes. 20:50:01	3	listed on the pharmacy information 20:51:38
4	QUESTIONS BY MS. HERZFELD: 20:50:01	4	sheet, oxycodone compared to other 20:51:40
5	Q. Okay. Does that number seem 20:50:02	5	opioids being dispensed, percent 20:51:46
6	too high to you? 20:50:05	6	oxycodone 15, 30, relative to other 20:51:50
7	MR. O'CONNOR: Object to form. 20:50:06	7	oxy products, and the other factors, 20:51:52
8	THE WITNESS: A number is one 20:50:07	8	including a physical and in a 20:51:56
9	of the indicators we use. High? I 20:50:10	9	physical location and a description of 20:52:02
10	don't have enough information to 20:50:16	10	the pharmacy. 20:52:04
11	compare other states to this 20:50:19	11	QUESTIONS BY MS. HERZFELD: 20:52:04
12	particular statistics or other 20:50:23	12	Q. Okay. And what types of 20:52:04
13	pharmacies, so I can't answer. 20:50:25	13	physical locations would cause you concern? 20:52:05
14	QUESTIONS BY MS. HERZFELD: 20:50:26	14	MR. O'CONNOR: Objection to 20:52:09
15	Q. Okay. So you'd have to have 20:50:27	15	form. 20:52:11
16	that information in order to be able to make 20:50:28	16	THE WITNESS: I don't I 20:52:11
17	a determination as to whether the number was 20:50:30	17	don't know offhand. 20:52:15
18	too high relatively? 20:50:32	18	QUESTIONS BY MS. HERZFELD: 20:52:15
19	A. Well, "too high" is a relative 20:50:33	19	Q. Okay. Okay. So the things on 20:52:16
20	term, again, so it would be a number that 20:50:37	20	the list is what you would consider, on the 20:52:21
21	merited further review. 20:50:41	21	pharmacy information sheet checklist? 20:52:22
22	Q. Okay. 20:50:43	22	A. Yes. 20:52:24
23	A. Potentially, yes. 20:50:43	23	Q. Okay. Is there anything 20:52:25
24	Q. And so the types of things that 20:50:44	24	outside of the information, the questions 20:52:26
25	you would want to know in order to make that 20:50:45	25	you've got contained in the pharmacy 20:52:29
	Daga 502	_	D 505
	Page 583		Page 585
1	determination would be population? 20:50:47	1	information sheet checklist, that you would 20:52:30
1 2	_	1 2	
	determination would be population? 20:50:47		information sheet checklist, that you would 20:52:30
2	determination would be population? 20:50:47  A. That could be 20:50:51	2	information sheet checklist, that you would 20:52:30 consider when determining whether a pharmacy 20:52:32
2 3	determination would be population? 20:50:47  A. That could be 20:50:51  MR. O'CONNOR: Form. 20:50:52	2 3	information sheet checklist, that you would 20:52:30 consider when determining whether a pharmacy 20:52:32 may be engaging in diversion? 20:52:35
2 3 4	determination would be population? 20:50:47  A. That could be 20:50:51  MR. O'CONNOR: Form. 20:50:52  THE WITNESS: one piece of 20:50:53	2 3 4	information sheet checklist, that you would 20:52:30 consider when determining whether a pharmacy 20:52:32 may be engaging in diversion? 20:52:35  A. So a Google report would prompt 20:52:38
2 3 4 5	determination would be population? 20:50:47  A. That could be 20:50:51  MR. O'CONNOR: Form. 20:50:52  THE WITNESS: one piece of 20:50:53 information. 20:50:55	2 3 4 5	information sheet checklist, that you would 20:52:30 consider when determining whether a pharmacy 20:52:32 may be engaging in diversion? 20:52:35  A. So a Google report would prompt 20:52:38 further review. Those are the factors that 20:52:44
2 3 4 5 6	determination would be population? 20:50:47  A. That could be 20:50:51  MR. O'CONNOR: Form. 20:50:52  THE WITNESS: one piece of 20:50:53 information. 20:50:55  QUESTIONS BY MS. HERZFELD: 20:50:55	2 3 4 5 6	information sheet checklist, that you would 20:52:30 consider when determining whether a pharmacy 20:52:32 may be engaging in diversion? 20:52:35  A. So a Google report would prompt 20:52:38 further review. Those are the factors that 20:52:44 come to mind. 20:52:46
2 3 4 5 6 7	determination would be population?       20:50:47         A. That could be 20:50:51       20:50:55         MR. O'CONNOR: Form. 20:50:52       20:50:53         THE WITNESS: one piece of information. 20:50:55       20:50:55         QUESTIONS BY MS. HERZFELD: 20:50:55       20:50:55         Q. Okay. And what about the 20:50:55	2 3 4 5 6 7	information sheet checklist, that you would 20:52:30 consider when determining whether a pharmacy 20:52:32 may be engaging in diversion? 20:52:35  A. So a Google report would prompt 20:52:38 further review. Those are the factors that 20:52:44 come to mind. 20:52:46  Q. Okay. But a Google report, if 20:52:47
2 3 4 5 6 7 8	determination would be population?       20:50:47         A. That could be 20:50:51       20:50:55         MR. O'CONNOR: Form. 20:50:52       20:50:53         THE WITNESS: one piece of 20:50:53       20:50:55         QUESTIONS BY MS. HERZFELD: 20:50:55       20:50:55         Q. Okay. And what about the percent of an aging population of the area? 20:50:58	2 3 4 5 6 7 8	information sheet checklist, that you would 20:52:30 consider when determining whether a pharmacy 20:52:32 may be engaging in diversion? 20:52:35  A. So a Google report would prompt 20:52:38 further review. Those are the factors that 20:52:44 come to mind. 20:52:46  Q. Okay. But a Google report, if 20:52:47 it comes up, right, it's generally going to 20:52:49
2 3 4 5 6 7 8	determination would be population? 20:50:47  A. That could be 20:50:51  MR. O'CONNOR: Form. 20:50:52  THE WITNESS: one piece of 20:50:53 information. 20:50:55  QUESTIONS BY MS. HERZFELD: 20:50:55  Q. Okay. And what about the 20:50:55 percent of an aging population of the area? 20:50:58  A. No. 20:51:02	2 3 4 5 6 7 8	information sheet checklist, that you would 20:52:30 consider when determining whether a pharmacy 20:52:32 may be engaging in diversion? 20:52:35  A. So a Google report would prompt 20:52:38 further review. Those are the factors that 20:52:44 come to mind. 20:52:46  Q. Okay. But a Google report, if 20:52:47 it comes up, right, it's generally going to 20:52:49 be when there's been a drug bust at a 20:52:52
2 3 4 5 6 7 8 9	determination would be population?       20:50:47         A. That could be 20:50:51       20:50:55         MR. O'CONNOR: Form. 20:50:52       20:50:55         THE WITNESS: one piece of information. 20:50:55       20:50:55         QUESTIONS BY MS. HERZFELD: 20:50:55       20:50:55         Q. Okay. And what about the percent of an aging population of the area? 20:50:58       20:50:58         A. No. 20:51:02       20:51:04	2 3 4 5 6 7 8 9	information sheet checklist, that you would 20:52:30 consider when determining whether a pharmacy 20:52:32 may be engaging in diversion? 20:52:35  A. So a Google report would prompt 20:52:38 further review. Those are the factors that 20:52:44 come to mind. 20:52:46  Q. Okay. But a Google report, if 20:52:47 it comes up, right, it's generally going to 20:52:49 be when there's been a drug bust at a 20:52:52 pharmacy after the fact; is that right? 20:52:54
2 3 4 5 6 7 8 9 10	determination would be population?       20:50:47         A. That could be 20:50:51       20:50:55         MR. O'CONNOR: Form. 20:50:52       20:50:52         THE WITNESS: one piece of 20:50:53       20:50:55         QUESTIONS BY MS. HERZFELD: 20:50:55       20:50:55         Q. Okay. And what about the 20:50:55       20:50:58         A. No. 20:51:02       20:51:04         Q. That's not something you'd want 20:51:04       20:51:05	2 3 4 5 6 7 8 9 10	information sheet checklist, that you would 20:52:30 consider when determining whether a pharmacy 20:52:32 may be engaging in diversion? 20:52:35  A. So a Google report would prompt 20:52:38 further review. Those are the factors that 20:52:44 come to mind. 20:52:46  Q. Okay. But a Google report, if 20:52:47 it comes up, right, it's generally going to 20:52:49 be when there's been a drug bust at a 20:52:52 pharmacy after the fact; is that right? 20:52:54  MR. O'CONNOR: Objection to 20:52:55 form. 20:52:56  THE WITNESS: Yes. Yes. 20:52:56
2 3 4 5 6 7 8 9 10 11	determination would be population?       20:50:47         A. That could be 20:50:51       20:50:55         MR. O'CONNOR: Form. 20:50:52       20:50:52         THE WITNESS: one piece of 20:50:53       20:50:55         QUESTIONS BY MS. HERZFELD: 20:50:55       20:50:55         Q. Okay. And what about the 20:50:55       20:50:58         A. No. 20:51:02       20:51:02         Q. That's not something you'd want 20:51:04       20:51:05         A. Oh, I it wasn't a part of 20:51:05       20:51:05         our program. 20:51:09       20:51:10         Q. Okay. What about nearness to 20:51:10	2 3 4 5 6 7 8 9 10 11	information sheet checklist, that you would consider when determining whether a pharmacy 20:52:32 may be engaging in diversion? 20:52:35  A. So a Google report would prompt 20:52:38 further review. Those are the factors that 20:52:44 come to mind. 20:52:46  Q. Okay. But a Google report, if 20:52:47 it comes up, right, it's generally going to 20:52:49 be when there's been a drug bust at a 20:52:52 pharmacy after the fact; is that right? 20:52:52 mRR. O'CONNOR: Objection to 20:52:55 form. 20:52:56  THE WITNESS: Yes. Yes. 20:52:56  QUESTIONS BY MS. HERZFELD: 20:53:00
2 3 4 5 6 7 8 9 10 11 12 13	determination would be population?       20:50:47         A. That could be       20:50:51         MR. O'CONNOR: Form.       20:50:52         THE WITNESS: one piece of 20:50:53 information.       20:50:55         QUESTIONS BY MS. HERZFELD:       20:50:55         Q. Okay. And what about the 20:50:55 percent of an aging population of the area?       20:50:58         A. No. 20:51:02       20:51:02         Q. That's not something you'd want 20:51:04 to consider?       20:51:05         A. Oh, I it wasn't a part of 20:51:05 our program.       20:51:09	2 3 4 5 6 7 8 9 10 11 12 13	information sheet checklist, that you would 20:52:30 consider when determining whether a pharmacy 20:52:32 may be engaging in diversion? 20:52:35  A. So a Google report would prompt 20:52:38 further review. Those are the factors that 20:52:44 come to mind. 20:52:46  Q. Okay. But a Google report, if 20:52:47 it comes up, right, it's generally going to 20:52:49 be when there's been a drug bust at a 20:52:52 pharmacy after the fact; is that right? 20:52:54  MR. O'CONNOR: Objection to 20:52:55 form. 20:52:56  THE WITNESS: Yes. Yes. 20:52:56
2 3 4 5 6 7 8 9 10 11 12 13	determination would be population?       20:50:47         A. That could be 20:50:51       20:50:55         MR. O'CONNOR: Form. 20:50:52       20:50:52         THE WITNESS: one piece of 20:50:53       20:50:55         QUESTIONS BY MS. HERZFELD: 20:50:55       20:50:55         Q. Okay. And what about the 20:50:55       20:50:58         A. No. 20:51:02       20:51:02         Q. That's not something you'd want 20:51:04       20:51:05         A. Oh, I it wasn't a part of 20:51:05       20:51:05         our program. 20:51:09       20:51:10         Q. Okay. What about nearness to 20:51:10	2 3 4 5 6 7 8 9 10 11 12 13	information sheet checklist, that you would consider when determining whether a pharmacy 20:52:32 may be engaging in diversion? 20:52:35  A. So a Google report would prompt 20:52:38 further review. Those are the factors that 20:52:44 come to mind. 20:52:46  Q. Okay. But a Google report, if 20:52:47 it comes up, right, it's generally going to 20:52:49 be when there's been a drug bust at a 20:52:52 pharmacy after the fact; is that right? 20:52:52 mRR. O'CONNOR: Objection to 20:52:55 form. 20:52:56  THE WITNESS: Yes. Yes. 20:52:56  QUESTIONS BY MS. HERZFELD: 20:53:00
2 3 4 5 6 7 8 9 10 11 12 13 14	determination would be population? 20:50:47  A. That could be 20:50:51  MR. O'CONNOR: Form. 20:50:52  THE WITNESS: one piece of 20:50:53 information. 20:50:55  QUESTIONS BY MS. HERZFELD: 20:50:55  Q. Okay. And what about the 20:50:55 percent of an aging population of the area? 20:50:58  A. No. 20:51:02  Q. That's not something you'd want 20:51:04 to consider? 20:51:05  A. Oh, I it wasn't a part of 20:51:05 our program. 20:51:09  Q. Okay. What about nearness to 20:51:10 hospitals or other medical facilities; would 20:51:14	2 3 4 5 6 7 8 9 10 11 12 13 14	information sheet checklist, that you would 20:52:30 consider when determining whether a pharmacy 20:52:32 may be engaging in diversion? 20:52:35  A. So a Google report would prompt 20:52:38 further review. Those are the factors that 20:52:44 come to mind. 20:52:46  Q. Okay. But a Google report, if 20:52:47 it comes up, right, it's generally going to 20:52:49 be when there's been a drug bust at a 20:52:52 pharmacy after the fact; is that right? 20:52:54  MR. O'CONNOR: Objection to 20:52:55 form. 20:52:56  THE WITNESS: Yes. Yes. 20:52:56  QUESTIONS BY MS. HERZFELD: 20:53:00  Q. Okay. Okay. If you'll take 20:53:01
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	determination would be population? 20:50:47  A. That could be 20:50:51  MR. O'CONNOR: Form. 20:50:52  THE WITNESS: one piece of 20:50:53 information. 20:50:55  QUESTIONS BY MS. HERZFELD: 20:50:55  Q. Okay. And what about the 20:50:55  percent of an aging population of the area? 20:50:58  A. No. 20:51:02  Q. That's not something you'd want 20:51:04 to consider? 20:51:05  A. Oh, I it wasn't a part of 20:51:05  our program. 20:51:09  Q. Okay. What about nearness to 20:51:10 hospitals or other medical facilities; would 20:51:14 you want to know that information? 20:51:16	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	information sheet checklist, that you would 20:52:30 consider when determining whether a pharmacy 20:52:32 may be engaging in diversion? 20:52:35  A. So a Google report would prompt 20:52:38 further review. Those are the factors that 20:52:44 come to mind. 20:52:46  Q. Okay. But a Google report, if 20:52:47 it comes up, right, it's generally going to 20:52:49 be when there's been a drug bust at a 20:52:52 pharmacy after the fact; is that right? 20:52:54  MR. O'CONNOR: Objection to 20:52:55 form. 20:52:56  THE WITNESS: Yes. Yes. 20:52:56  QUESTIONS BY MS. HERZFELD: 20:53:00  Q. Okay. Okay. If you'll take 20:53:01 the same sheet with me, we're going to just 20:53:07
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	determination would be population? 20:50:47  A. That could be 20:50:51  MR. O'CONNOR: Form. 20:50:52  THE WITNESS: one piece of 20:50:53 information. 20:50:55  QUESTIONS BY MS. HERZFELD: 20:50:55  Q. Okay. And what about the 20:50:55  percent of an aging population of the area? 20:50:58  A. No. 20:51:02  Q. That's not something you'd want 20:51:04 to consider? 20:51:05  A. Oh, I it wasn't a part of 20:51:05  our program. 20:51:09  Q. Okay. What about nearness to 20:51:10 hospitals or other medical facilities; would 20:51:14 you want to know that information? 20:51:16  A. Not routinely. 20:51:18	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	information sheet checklist, that you would consider when determining whether a pharmacy 20:52:32 may be engaging in diversion? 20:52:35  A. So a Google report would prompt 20:52:38 further review. Those are the factors that 20:52:44 come to mind. 20:52:46  Q. Okay. But a Google report, if 20:52:47 it comes up, right, it's generally going to 20:52:49 be when there's been a drug bust at a 20:52:52 pharmacy after the fact; is that right? 20:52:52 pharmacy after the fact; is that right? 20:52:55 form. 20:52:56  THE WITNESS: Yes. Yes. 20:52:56  QUESTIONS BY MS. HERZFELD: 20:53:00  Q. Okay. Okay. If you'll take 20:53:01 the same sheet with me, we're going to just 20:53:10
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	determination would be population? 20:50:47  A. That could be 20:50:51  MR. O'CONNOR: Form. 20:50:52  THE WITNESS: one piece of 20:50:53 information. 20:50:55  QUESTIONS BY MS. HERZFELD: 20:50:55  Q. Okay. And what about the 20:50:55 percent of an aging population of the area? 20:50:58  A. No. 20:51:02  Q. That's not something you'd want 20:51:04 to consider? 20:51:05  A. Oh, I it wasn't a part of 20:51:05 our program. 20:51:09  Q. Okay. What about nearness to 20:51:10 hospitals or other medical facilities; would 20:51:14 you want to know that information? 20:51:16  A. Not routinely. 20:51:18 Q. Okay. 20:51:22	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	information sheet checklist, that you would 20:52:30 consider when determining whether a pharmacy 20:52:32 may be engaging in diversion? 20:52:35  A. So a Google report would prompt 20:52:38 further review. Those are the factors that 20:52:44 come to mind. 20:52:46  Q. Okay. But a Google report, if 20:52:47 it comes up, right, it's generally going to 20:52:49 be when there's been a drug bust at a 20:52:52 pharmacy after the fact; is that right? 20:52:54  MR. O'CONNOR: Objection to 20:52:55 form. 20:52:56  THE WITNESS: Yes. Yes. 20:52:56  QUESTIONS BY MS. HERZFELD: 20:53:00  Q. Okay. Okay. If you'll take 20:53:01 the same sheet with me, we're going to just 20:53:10 flip with me to the one that's page 4. 20:53:15
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	determination would be population? 20:50:47  A. That could be 20:50:51  MR. O'CONNOR: Form. 20:50:52  THE WITNESS: one piece of 20:50:53 information. 20:50:55  QUESTIONS BY MS. HERZFELD: 20:50:55  Q. Okay. And what about the 20:50:55 percent of an aging population of the area? 20:50:58  A. No. 20:51:02  Q. That's not something you'd want 20:51:04 to consider? 20:51:05  A. Oh, I it wasn't a part of 20:51:05 our program. 20:51:09  Q. Okay. What about nearness to 20:51:10 hospitals or other medical facilities; would 20:51:14 you want to know that information? 20:51:16  A. Not routinely. 20:51:18 Q. Okay. 20:51:22 A. No. 20:51:22	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	information sheet checklist, that you would 20:52:30 consider when determining whether a pharmacy 20:52:32 may be engaging in diversion? 20:52:35  A. So a Google report would prompt 20:52:38 further review. Those are the factors that 20:52:44 come to mind. 20:52:46  Q. Okay. But a Google report, if 20:52:47 it comes up, right, it's generally going to 20:52:49 be when there's been a drug bust at a 20:52:52 pharmacy after the fact; is that right? 20:52:54  MR. O'CONNOR: Objection to 20:52:55 form. 20:52:56  THE WITNESS: Yes. Yes. 20:52:56  QUESTIONS BY MS. HERZFELD: 20:53:00  Q. Okay. Okay. If you'll take 20:53:01 the same sheet with me, we're going to just 20:53:10 flip with me to the one that's page 4. 20:53:15  If you'll go down to the part 20:53:22
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	determination would be population?       20:50:47         A. That could be       20:50:51         MR. O'CONNOR: Form.       20:50:52         THE WITNESS: one piece of information.       20:50:55         QUESTIONS BY MS. HERZFELD:       20:50:55         Q. Okay. And what about the percent of an aging population of the area?       20:50:58         A. No.       20:51:02         Q. That's not something you'd want consider?       20:51:05         A. Oh, I it wasn't a part of cour program.       20:51:05         Q. Okay. What about nearness to cour program.       20:51:09         Q. Okay. What about nearness to cour program.       20:51:10         hospitals or other medical facilities; would county want to know that information?       20:51:14         You want to know that information?       20:51:16         A. Not routinely.       20:51:12         Q. Okay.       20:51:22         A. No.       20:51:22         Q. Okay. So what types of other       20:51:23	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	information sheet checklist, that you would 20:52:30 consider when determining whether a pharmacy 20:52:32 may be engaging in diversion? 20:52:35  A. So a Google report would prompt 20:52:38 further review. Those are the factors that 20:52:44 come to mind. 20:52:46  Q. Okay. But a Google report, if 20:52:47 it comes up, right, it's generally going to 20:52:49 be when there's been a drug bust at a 20:52:52 pharmacy after the fact; is that right? 20:52:54  MR. O'CONNOR: Objection to 20:52:55 form. 20:52:56  THE WITNESS: Yes. Yes. 20:52:56  QUESTIONS BY MS. HERZFELD: 20:53:00  Q. Okay. Okay. If you'll take 20:53:01 the same sheet with me, we're going to just 20:53:10 flip with me to the one that's page 4. 20:53:15  If you'll go down to the part 20:53:22 that's highlighted in orange. I guess that's 20:53:24
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	determination would be population? 20:50:47  A. That could be 20:50:51  MR. O'CONNOR: Form. 20:50:52  THE WITNESS: one piece of 20:50:53 information. 20:50:55  QUESTIONS BY MS. HERZFELD: 20:50:55  Q. Okay. And what about the 20:50:55  percent of an aging population of the area? 20:50:58  A. No. 20:51:02  Q. That's not something you'd want 20:51:04  to consider? 20:51:05  A. Oh, I it wasn't a part of 20:51:05  our program. 20:51:09  Q. Okay. What about nearness to 20:51:10  hospitals or other medical facilities; would 20:51:14  you want to know that information? 20:51:18  Q. Okay. 20:51:22  A. No. 20:51:22  Q. Okay. So what types of other 20:51:23 information would you need besides just pure 20:51:25	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	information sheet checklist, that you would 20:52:30 consider when determining whether a pharmacy 20:52:32 may be engaging in diversion? 20:52:35  A. So a Google report would prompt 20:52:38 further review. Those are the factors that 20:52:44 come to mind. 20:52:46  Q. Okay. But a Google report, if 20:52:47 it comes up, right, it's generally going to 20:52:49 be when there's been a drug bust at a 20:52:52 pharmacy after the fact; is that right? 20:52:54  MR. O'CONNOR: Objection to 20:52:55 form. 20:52:56  THE WITNESS: Yes. Yes. 20:52:56  QUESTIONS BY MS. HERZFELD: 20:53:00  Q. Okay. Okay. If you'll take 20:53:01 the same sheet with me, we're going to just 20:53:10 flip with me to the one that's page 4. 20:53:15  If you'll go down to the part 20:53:22 that's highlighted in orange. I guess that's 20:53:24 orange. 20:53:27
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	determination would be population? 20:50:47  A. That could be 20:50:51  MR. O'CONNOR: Form. 20:50:52  THE WITNESS: one piece of 20:50:53 information. 20:50:55  QUESTIONS BY MS. HERZFELD: 20:50:55  Q. Okay. And what about the 20:50:55  percent of an aging population of the area? 20:50:58  A. No. 20:51:02  Q. That's not something you'd want 20:51:04  to consider? 20:51:05  A. Oh, I it wasn't a part of 20:51:05  our program. 20:51:09  Q. Okay. What about nearness to 20:51:10  hospitals or other medical facilities; would 20:51:14  you want to know that information? 20:51:18  Q. Okay. 20:51:22  A. No. 20:51:22  Q. Okay. So what types of other 20:51:23 information would you need besides just pure 20:51:25 number in order to be able to make a 20:51:30	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	information sheet checklist, that you would consider when determining whether a pharmacy 20:52:32 may be engaging in diversion? 20:52:35  A. So a Google report would prompt 20:52:38 further review. Those are the factors that 20:52:44 come to mind. 20:52:46  Q. Okay. But a Google report, if 20:52:47 it comes up, right, it's generally going to 20:52:49 be when there's been a drug bust at a 20:52:52 pharmacy after the fact; is that right? 20:52:52 pharmacy after the fact; is that right? 20:52:54  MR. O'CONNOR: Objection to 20:52:55 form. 20:52:56  THE WITNESS: Yes. Yes. 20:52:56  QUESTIONS BY MS. HERZFELD: 20:53:00  Q. Okay. Okay. If you'll take 20:53:01 the same sheet with me, we're going to just 20:53:07 spend another minute with it. And if you'll 20:53:10 flip with me to the one that's page 4. 20:53:22 that's highlighted in orange. I guess that's 20:53:24 orange. 20:53:27  A. Oh, I'm sorry. I'm on the 20:53:28 wrong page. 20:53:30

	<u> </u>		
	Page 586		Page 588
1	Q. At the top it should say Riggs 20:53:37	1	A and added all these? 20:55:26
2	Drug in Jacksboro, Tennessee. 20:53:39	2	Q. Yes, ma'am. 20:55:27
3	Do you see where I'm at? 20:53:42	3	A. Okay. All right. 20:55:27
4	A. Yes. 20:53:43	4	Q. I'm not going to make you vouch 20:55:27
5	Q. Okay. And then the orange all 20:53:44	5	for my math. 20:55:29
6	the way down at the bottom. 20:53:46	6	A. Okay. 20:55:30
7	A. Yes. 20:53:47	7	Q. But if I tell you that that 20:55:30
8	Q. Okay. So it says oxycodone 20:53:47	8	totals to 279,570 20:55:30
9	30-milligram tablets, and then it would be 20:53:49	9	A. Yes. 20:55:30
10	139,400 tablets were supplied to this 20:53:51	10	Q does that seem like a lot of 20:55:36
11	pharmacy, Riggs, in Jacksboro, Tennessee, by 20:53:56	11	Mallinckrodt opioids to go to one pharmacy to 20:55:38
12	Cardinal Health in the time period of 20:53:59	12	you? 20:55:39
13	November 2011 through November of 2012. 20:54:01	13	A. No, not necessarily. 20:55:39
14	Did I read that correctly? 20:54:04	14	Q. You would want to look at the 20:55:40
15	A. Yes. 20:54:05	15	factors that are on the pharmacy information 20:55:42
16	Q. Okay. And if you go one line 20:54:06	16	sheet; is that right? 20:55:44
17	up, it talks about oxycodone 15-milligram 20:54:09	17	A. Yes. 20:55:44
18	tablets shipped to that Jacksboro Riggs. 20:54:12	18	Q. And the Google Alerts; is that 20:55:44
19	That's 38,700; is that correct? 20:54:16	19	right? 20:55:47
20	A. Yes. 20:54:19	20	A. Yes, and have a conversation 20:55:47
21	Q. Okay. And so if you total 20:54:20	21	with the distributor, yes. 20:55:49
22	that, that would be 178,100 Mallinckrodt 20:54:21	22	Q. Okay. Do you know anything 20:55:50
23	oxycodone pills going to that one pharmacy in 20:54:26	23	about Jacksboro, Tennessee? 20:55:51
24	that time period; is that correct? 20:54:30	24	A. No. 20:55:53
25	A. Yes. 20:54:31	25	Q. Okay. Do you know if Jacksboro 20:55:54
	Page 587		Page 589
1	Q. Okay. And the rest of these 20:54:33	1	and La Follette are in the same county? 20:56:01
2	numbers on there, those are the other 20:54:40	2	A. No. 20:56:02
3	controlled substance Mallinckrodt products; 20:54:44	3	Q. What if I told you they are? 20:56:03
4	is that correct? 20:54:47	4	They're in Campbell County, Tennessee. 20:56:04
5	A. Yes. 20:54:47	5	Have you ever heard of Campbell 20:56:06
6	Q. Okay. And many of those are 20:54:48	6	County, Tennessee? 20:56:09
7	opioids as well; is that right? 20:54:51	7	A. No. 20:56:09
8	A. Yes. 20:54:52	8	Q. Okay. Do you know anything 20:56:10
9	Q. Is methylphenidate an opioid? 20:54:53	9	about Campbell County, Tennessee? 20:56:10
10	A. Yes. 20:54:59	10	A. No. 20:56:12
11	Q. Okay. So is everything on this 20:54:59	11	Q. Has Campbell County, Tennessee, 20:56:12
12	list an opioid? 20:55:01	12	ever been a topic of discussion during your 20:56:14
13	A. Yes. 20:55:02	13	professional time at Mallinckrodt? 20:56:16
14	Q. Okay. So if you total all of 20:55:02	14	A. Not that I recall. 20:56:17
15	the opioids then, the Mallinckrodt opioids, 20:55:03	15	Q. Okay. 20:56:19
16	sent to Riggs Drug in Jacksboro, Tennessee, 20:55:05	16	MR. O'CONNOR: We're on the 20:56:38
17	during this time period, that would be 20:55:07	17	12-hour mark. Are you almost done? 20:56:39
18	279,570 Mallinckrodt opioids shipped to this 20:55:10	18	MS. HERZFELD: I am so almost 20:56:43
	pharmacy during that period of time, I submit 20:55:14	19	done. 20:56:44
19		20	MR. O'CONNOR: Okay. 20:56:44
	to you. 20:55:17		
19	to you. 20:55:17  Does that seem like a lot of 20:55:18	21	MS. HERZFELD: I have, I 20:56:44
19 20	·	21	MS. HERZFELD: I have, I 20:56:44 think I have two very quick charts 20:56:45
19 20 21	Does that seem like a lot of 20:55:18		
19 20 21 22	Does that seem like a lot of 20:55:18 opioids to one pharmacy to you? 20:55:20	22	think I have two very quick charts 20:56:45

	Page 590		Page 592
1	Do you want to take a break? 20:56:52	1	for the oxy 15s. Do you see that? 20:59:15
2	MR. O'CONNOR: Not if it's 20:56:54	2	I'll show you the oxy 30s next. 20:59:19
3	going to be ten minutes. 20:56:55	3	A. Yes. 20:59:22
4	MS. HERZFELD: I think it's 20:56:56	4	Q. Okay. And if you look at this 20:59:22
5	going to be ten minutes. 20:56:57	5	spreadsheet, you've got Jellico one, two, 20:59:24
6	MR. O'CONNOR: Okay. 20:56:57	6	three, four times. 20:59:27
7	MS. HERZFELD: I think it's 20:56:57	7	Let's look at the first one. 20:59:27
8	going to be ten minutes. I will try 20:56:58	8	Jellico Drugs. 20:59:30
9	very hard not to lie to you. Okay. 20:56:59	9	Do you see that? 20:59:31
10	MR. O'CONNOR: It's always 20:57:02	10	A. Yes. 20:59:31
11	appreciated. 20:57:04	11	Q. And it looks like Jellico Drugs 20:59:31
12	(Mallinckrodt-Harper Exhibit 56 20:57:05	12	was getting stuff from AmerisourceBergen 20:59:33
13	marked for identification.) 20:57:06	13	getting oxycodone 15 from AmerisourceBergen 20:59:35
14	QUESTIONS BY MS. HERZFELD: 20:57:06	14	and Masters; is that correct? 20:59:39
15	Q. I will hand you what I'm 20:57:07	15	A. Yes. 20:59:40
16	marking as Plaintiff's Exhibit 56. This is 20:57:08	16	Q. Okay. So during that time 20:59:46
17	MNK_TNSTA25 I'm sorry, 02527616. 20:57:14	17	period, it looks like Jellico Drugs received 20:59:48
18	This is the title is "Oxy 15 20:57:23	18	14,400 oxycodone 15 tablets from Masters; is 20:59:51
19	and 30 shipped to and sold to via month, 20:57:28	19	that right? 20:59:57
20	January through December 2011." And it looks 20:57:31	20	A. Yes. 20:59:57
21	like the report was run 2/15/2012. 20:57:34	21	Q. And then 12,200 from 20:59:58
22	I will submit to you that we 20:57:37	22	AmerisourceBergen? 21:00:00
23	have condensed this just to Campbell County. 20:57:40	23	A. Yes. 21:00:01
24	Okay. So if you take a look at 20:58:01	24	Q. Okay. And if you go down to 21:00:02
25	this list, I think you'll notice La Follette 20:58:03	25	the others, you have the Rite Aid, 21:00:04
		1	Dog 502
,	Page 591	,	Page 593
1	that we've been talking about and also 20:58:05		number 1935 in Jellico. They received 2500 21:00:08
2	that we've been talking about and also 20:58:05  Jacksboro, which we've already discussed; is 20:58:06	2	number 1935 in Jellico. They received 2500 21:00:08 oxycodone 15; is that correct? 21:00:13
2 3	that we've been talking about and also 20:58:05  Jacksboro, which we've already discussed; is 20:58:06 that right? 20:58:09	2 3	number 1935 in Jellico. They received 2500 21:00:08 oxycodone 15; is that correct? 21:00:13  A. Yes. 21:00:15
2 3 4	that we've been talking about and also 20:58:05  Jacksboro, which we've already discussed; is 20:58:06 that right? 20:58:09  A. Yes. 20:58:09	2 3 4	number 1935 in Jellico. They received 2500 21:00:08 oxycodone 15; is that correct? 21:00:13  A. Yes. 21:00:15  Q. Okay. And then the last one is 21:00:19
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2 3 4 5 6	that we've been talking about and also 20:58:05  Jacksboro, which we've already discussed; is 20:58:06 that right? 20:58:09  A. Yes. 20:58:09 Q. Okay. And this chart appears 20:58:10 to show you chargeback data to the various 20:58:11	2 3 4 5 6	number 1935 in Jellico. They received 2500 21:00:08 oxycodone 15; is that correct? 21:00:13  A. Yes. 21:00:15 Q. Okay. And then the last one is 21:00:19 the family drug center in Jellico by Cardinal 21:00:20 Health, and it looks like they received 300 21:00:23
2 3 4 5 6	that we've been talking about and also 20:58:05  Jacksboro, which we've already discussed; is 20:58:06 that right? 20:58:09  A. Yes. 20:58:09 Q. Okay. And this chart appears 20:58:10 to show you chargeback data to the various 20:58:11 pharmacies during the period of January 2011 20:58:13	2 3 4 5 6 7	number 1935 in Jellico. They received 2500 21:00:08 oxycodone 15; is that correct? 21:00:13  A. Yes. 21:00:15 Q. Okay. And then the last one is 21:00:19 the family drug center in Jellico by Cardinal 21:00:20 Health, and it looks like they received 300 21:00:23 oxy 15s; is that right? 21:00:28
2 3 4 5 6 7 8	that we've been talking about and also 20:58:05  Jacksboro, which we've already discussed; is 20:58:06 that right? 20:58:09 A. Yes. 20:58:09 Q. Okay. And this chart appears 20:58:10 to show you chargeback data to the various 20:58:11 pharmacies during the period of January 2011 20:58:13 through December 2011; is that correct? 20:58:19	2 3 4 5 6 7 8	number 1935 in Jellico. They received 2500 21:00:08 oxycodone 15; is that correct? 21:00:13  A. Yes. 21:00:15 Q. Okay. And then the last one is 21:00:19 the family drug center in Jellico by Cardinal 21:00:20 Health, and it looks like they received 300 21:00:23 oxy 15s; is that right? 21:00:28 A. Yes. 21:00:29
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2 3 4 5 6 7 8 9	that we've been talking about and also 20:58:05  Jacksboro, which we've already discussed; is 20:58:06 that right? 20:58:09 A. Yes. 20:58:09 Q. Okay. And this chart appears 20:58:10 to show you chargeback data to the various 20:58:11 pharmacies during the period of January 2011 20:58:13 through December 2011; is that correct? 20:58:19 A. Yes. 20:58:23 Q. Okay. And we haven't talked at 20:58:26	2 3 4 5 6 7 8 9	number 1935 in Jellico. They received 2500 21:00:08 oxycodone 15; is that correct? 21:00:13  A. Yes. 21:00:15 Q. Okay. And then the last one is 21:00:19 the family drug center in Jellico by Cardinal 21:00:20 Health, and it looks like they received 300 21:00:23 oxy 15s; is that right? 21:00:28 A. Yes. 21:00:29 Q. Okay. So if you add all that 21:00:29 together, I'll submit to you that that's 21:00:31
2 3 4 5 6 7 8 9 10	that we've been talking about and also 20:58:05  Jacksboro, which we've already discussed; is 20:58:06 that right? 20:58:09 A. Yes. 20:58:09 Q. Okay. And this chart appears 20:58:10 to show you chargeback data to the various 20:58:11 pharmacies during the period of January 2011 20:58:13 through December 2011; is that correct? 20:58:19 A. Yes. 20:58:23 Q. Okay. And we haven't talked at 20:58:26 all about a place called Jellico. 20:58:29	2 3 4 5 6 7 8 9 10	number 1935 in Jellico. They received 2500 21:00:08 oxycodone 15; is that correct? 21:00:13  A. Yes. 21:00:15 Q. Okay. And then the last one is 21:00:19 the family drug center in Jellico by Cardinal 21:00:20 Health, and it looks like they received 300 21:00:23 oxy 15s; is that right? 21:00:28 A. Yes. 21:00:29 Q. Okay. So if you add all that 21:00:31 about 29,400 oxycodone 15s for the town of 21:00:33
2 3 4 5 6 7 8 9 10 11 12	that we've been talking about and also 20:58:05  Jacksboro, which we've already discussed; is 20:58:06  that right? 20:58:09  A. Yes. 20:58:09  Q. Okay. And this chart appears 20:58:10  to show you chargeback data to the various 20:58:11  pharmacies during the period of January 2011 20:58:13  through December 2011; is that correct? 20:58:19  A. Yes. 20:58:23  Q. Okay. And we haven't talked at 20:58:26  all about a place called Jellico. 20:58:31	2 3 4 5 6 7 8 9 10 11	number 1935 in Jellico. They received 2500 21:00:08 oxycodone 15; is that correct? 21:00:13  A. Yes. 21:00:15 Q. Okay. And then the last one is 21:00:19 the family drug center in Jellico by Cardinal 21:00:20 Health, and it looks like they received 300 21:00:23 oxy 15s; is that right? 21:00:28 A. Yes. 21:00:29 Q. Okay. So if you add all that 21:00:29 together, I'll submit to you that that's 21:00:31 about 29,400 oxycodone 15s for the town of 21:00:33 Jellico. 21:00:40
2 3 4 5 6 7 8 9 10 11 12 13	that we've been talking about and also 20:58:05  Jacksboro, which we've already discussed; is 20:58:06 that right? 20:58:09  A. Yes. 20:58:09 Q. Okay. And this chart appears 20:58:10 to show you chargeback data to the various 20:58:11 pharmacies during the period of January 2011 20:58:13 through December 2011; is that correct? 20:58:19 A. Yes. 20:58:23 Q. Okay. And we haven't talked at 20:58:26 all about a place called Jellico. 20:58:31 Tennessee? 20:58:32	2 3 4 5 6 7 8 9 10 11 12 13	number 1935 in Jellico. They received 2500 21:00:08 oxycodone 15; is that correct? 21:00:13  A. Yes. 21:00:15 Q. Okay. And then the last one is 21:00:19 the family drug center in Jellico by Cardinal 21:00:20 Health, and it looks like they received 300 21:00:23 oxy 15s; is that right? 21:00:28 A. Yes. 21:00:29 Q. Okay. So if you add all that 21:00:29 together, I'll submit to you that that's 21:00:31 about 29,400 oxycodone 15s for the town of 21:00:33 Jellico. 21:00:40 Does that sound right? 21:00:40
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2 3 4 5 6 7 8 9 10 11 12 13 14	that we've been talking about and also 20:58:05  Jacksboro, which we've already discussed; is 20:58:06  that right? 20:58:09  A. Yes. 20:58:09  Q. Okay. And this chart appears 20:58:10  to show you chargeback data to the various 20:58:11  pharmacies during the period of January 2011 20:58:13  through December 2011; is that correct? 20:58:19  A. Yes. 20:58:23  Q. Okay. And we haven't talked at 20:58:26  all about a place called Jellico. 20:58:31  Tennessee? 20:58:32  A. No. 20:58:33  Q. Okay. Okay. On this list I 20:58:33	2 3 4 5 6 7 8 9 10 11 12 13 14	number 1935 in Jellico. They received 2500 21:00:08 oxycodone 15; is that correct? 21:00:13  A. Yes. 21:00:15 Q. Okay. And then the last one is 21:00:19 the family drug center in Jellico by Cardinal 21:00:20 Health, and it looks like they received 300 21:00:23 oxy 15s; is that right? 21:00:28 A. Yes. 21:00:29 Q. Okay. So if you add all that 21:00:31 about 29,400 oxycodone 15s for the town of 21:00:33 Jellico. 21:00:40 Does that sound right? 21:00:40 A. I have not done the math, but 21:00:41 if you say it's true, we'll go with it. 21:00:45
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	that we've been talking about and also  Jacksboro, which we've already discussed; is 20:58:06 that right? 20:58:09  A. Yes. 20:58:09  Q. Okay. And this chart appears 20:58:10 to show you chargeback data to the various 20:58:11 pharmacies during the period of January 2011 20:58:13 through December 2011; is that correct? 20:58:19  A. Yes. 20:58:23  Q. Okay. And we haven't talked at 20:58:26 all about a place called Jellico. 20:58:31  Tennessee? 20:58:32  A. No. 20:58:33  Q. Okay. Okay. On this list I 20:58:33 think you'll recognize we've got the three 20:58:39 Riggs Drugs right at the top, right? 20:58:41	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	number 1935 in Jellico. They received 2500 21:00:08 oxycodone 15; is that correct? 21:00:13  A. Yes. 21:00:15 Q. Okay. And then the last one is 21:00:19 the family drug center in Jellico by Cardinal 21:00:20 Health, and it looks like they received 300 21:00:23 oxy 15s; is that right? 21:00:28 A. Yes. 21:00:29 Q. Okay. So if you add all that 21:00:31 about 29,400 oxycodone 15s for the town of 21:00:33 Jellico. 21:00:40 Does that sound right? 21:00:40 A. I have not done the math, but 21:00:41 if you say it's true, we'll go with it. 21:00:45 (Mallinckrodt-Harper Exhibit 57 21:00:49 marked for identification.) 21:00:51
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	that we've been talking about and also  Jacksboro, which we've already discussed; is 20:58:06 that right? 20:58:09  A. Yes. 20:58:09  Q. Okay. And this chart appears 20:58:10 to show you chargeback data to the various 20:58:11 pharmacies during the period of January 2011 20:58:13 through December 2011; is that correct? 20:58:19  A. Yes. 20:58:23  Q. Okay. And we haven't talked at 20:58:26 all about a place called Jellico. 20:58:31  Tennessee? 20:58:32  A. No. 20:58:33  Q. Okay. Okay. On this list I 20:58:33 think you'll recognize we've got the three 20:58:39  Riggs Drugs right at the top, right? 20:58:41  A. Yes. 20:58:42	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	number 1935 in Jellico. They received 2500 21:00:08 oxycodone 15; is that correct? 21:00:13  A. Yes. 21:00:15 Q. Okay. And then the last one is 21:00:19 the family drug center in Jellico by Cardinal 21:00:20 Health, and it looks like they received 300 21:00:23 oxy 15s; is that right? 21:00:28 A. Yes. 21:00:29 Q. Okay. So if you add all that 21:00:31 about 29,400 oxycodone 15s for the town of 21:00:33 Jellico. 21:00:40 Does that sound right? 21:00:40 A. I have not done the math, but 21:00:41 if you say it's true, we'll go with it. 21:00:45 (Mallinckrodt-Harper Exhibit 57 21:00:49 marked for identification.) 21:00:51 QUESTIONS BY MS. HERZFELD: 21:00:51
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	that we've been talking about and also  Jacksboro, which we've already discussed; is 20:58:06 that right? 20:58:09  A. Yes. 20:58:09  Q. Okay. And this chart appears 20:58:10 to show you chargeback data to the various 20:58:11 pharmacies during the period of January 2011 20:58:13 through December 2011; is that correct? 20:58:19  A. Yes. 20:58:23  Q. Okay. And we haven't talked at 20:58:26 all about a place called Jellico. 20:58:31  Tennessee? 20:58:32  A. No. 20:58:33  Q. Okay. Okay. On this list I 20:58:33 think you'll recognize we've got the three 20:58:39  Riggs Drugs right at the top, right? 20:58:41  A. Yes. 20:58:42  Q. Okay. Riggs Drug in La 20:58:43	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	number 1935 in Jellico. They received 2500 21:00:08 oxycodone 15; is that correct? 21:00:13  A. Yes. 21:00:15 Q. Okay. And then the last one is 21:00:19 the family drug center in Jellico by Cardinal 21:00:20 Health, and it looks like they received 300 21:00:23 oxy 15s; is that right? 21:00:28 A. Yes. 21:00:29 Q. Okay. So if you add all that 21:00:31 about 29,400 oxycodone 15s for the town of 21:00:33 Jellico. 21:00:40 A. I have not done the math, but 21:00:41 if you say it's true, we'll go with it. 21:00:45
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	that we've been talking about and also  Jacksboro, which we've already discussed; is 20:58:06 that right? 20:58:09  A. Yes. 20:58:09  Q. Okay. And this chart appears 20:58:10 to show you chargeback data to the various 20:58:11 pharmacies during the period of January 2011 20:58:13 through December 2011; is that correct? 20:58:19  A. Yes. 20:58:23  Q. Okay. And we haven't talked at 20:58:26 all about a place called Jellico. 20:58:31  Tennessee? 20:58:32  A. No. 20:58:33  Q. Okay. Okay. On this list I 20:58:33 think you'll recognize we've got the three 20:58:39  Riggs Drugs right at the top, right? 20:58:41  A. Yes. 20:58:42  Q. Okay. Riggs Drug in La 20:58:43  Follette and Riggs Drug in Jacksboro. 20:58:46  A. Yes. 20:58:53	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	number 1935 in Jellico. They received 2500 21:00:08 oxycodone 15; is that correct? 21:00:13  A. Yes. 21:00:15 Q. Okay. And then the last one is 21:00:19 the family drug center in Jellico by Cardinal 21:00:20 Health, and it looks like they received 300 21:00:23 oxy 15s; is that right? 21:00:28 A. Yes. 21:00:29 Q. Okay. So if you add all that 21:00:31 about 29,400 oxycodone 15s for the town of 21:00:33 Jellico. 21:00:40 Does that sound right? 21:00:40 A. I have not done the math, but 21:00:41 if you say it's true, we'll go with it. 21:00:45 (Mallinckrodt-Harper Exhibit 57 21:00:49 marked for identification.) 21:00:51 QUESTIONS BY MS. HERZFELD: 21:00:51 what's marked as Plaintiff's Exhibit 56? 6? 21:00:53 A. This was 56. 21:00:55
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	that we've been talking about and also	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	number 1935 in Jellico. They received 2500 21:00:08 oxycodone 15; is that correct? 21:00:13  A. Yes. 21:00:15 Q. Okay. And then the last one is 21:00:19 the family drug center in Jellico by Cardinal 21:00:20 Health, and it looks like they received 300 21:00:23 oxy 15s; is that right? 21:00:28 A. Yes. 21:00:29 Q. Okay. So if you add all that 21:00:31 about 29,400 oxycodone 15s for the town of 21:00:33 Jellico. 21:00:40 A. I have not done the math, but 21:00:41 if you say it's true, we'll go with it. 21:00:45
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	that we've been talking about and also Jacksboro, which we've already discussed; is 20:58:06 that right? 20:58:09 A. Yes. 20:58:09 Q. Okay. And this chart appears 20:58:10 to show you chargeback data to the various 20:58:11 pharmacies during the period of January 2011 20:58:13 through December 2011; is that correct? 20:58:19 A. Yes. 20:58:23 Q. Okay. And we haven't talked at 20:58:26 all about a place called Jellico. 20:58:31 Tennessee? 20:58:32 A. No. 20:58:33 Q. Okay. Oh this list I 20:58:33 think you'll recognize we've got the three 20:58:39 Riggs Drugs right at the top, right? 20:58:41 A. Yes. 20:58:42 Q. Okay. Riggs Drug in La 20:58:43 Follette and Riggs Drug in Jacksboro. 20:58:46 A. Yes. 20:58:53 Q. Okay. Do you know how many 20:58:54 people live in Jellico, Tennessee? 20:59:07	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	number 1935 in Jellico. They received 2500 21:00:08 oxycodone 15; is that correct? 21:00:13  A. Yes. 21:00:15 Q. Okay. And then the last one is 21:00:19 the family drug center in Jellico by Cardinal 21:00:20 Health, and it looks like they received 300 21:00:23 oxy 15s; is that right? 21:00:28 A. Yes. 21:00:29 Q. Okay. So if you add all that 21:00:31 about 29,400 oxycodone 15s for the town of 21:00:33 Jellico. 21:00:40 Does that sound right? 21:00:40 A. I have not done the math, but 21:00:41 if you say it's true, we'll go with it. 21:00:45 (Mallinckrodt-Harper Exhibit 57 21:00:49 marked for identification.) 21:00:51 QUESTIONS BY MS. HERZFELD: 21:00:51 what's marked as Plaintiff's Exhibit 56? 6? 21:00:53 A. This was 56. 21:00:55 Q. Oh, 57. I left my I'll just 21:00:56 do another one. 57. 21:01:03
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	that we've been talking about and also	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	number 1935 in Jellico. They received 2500 21:00:08 oxycodone 15; is that correct? 21:00:13  A. Yes. 21:00:15 Q. Okay. And then the last one is 21:00:19 the family drug center in Jellico by Cardinal 21:00:20 Health, and it looks like they received 300 21:00:23 oxy 15s; is that right? 21:00:28 A. Yes. 21:00:29 Q. Okay. So if you add all that 21:00:31 about 29,400 oxycodone 15s for the town of 21:00:33 Jellico. 21:00:40 A. I have not done the math, but 21:00:41 if you say it's true, we'll go with it. 21:00:45

	Page 594		Page 596
1	might have lucked out. Okay. It appears 21:01:27	1	A. No. 21:04:19
2	that I'm missing the one for the oxy 30. 21:01:45	2	Q. Is that a list that 21:04:19
3	Okay. 21:01:51	3	Mallinckrodt would look at? 21:04:21
4	Did you ever run the numbers 21:01:52	4	MR. O'CONNOR: Objection to 21:04:22
5	for the total number of Mallinckrodt 21:01:58	5	form. 21:04:24
6	oxycodone products going to Campbell County, 21:02:00	6	THE WITNESS: Not within the 21:04:24
7	Tennessee? 21:02:04	7	scope of suspicious order monitoring. 21:04:25
8	A. I do not know. 21:02:04	8	QUESTIONS BY MS. HERZFELD: 21:04:28
9	Q. Okay. I'm going to 21:02:07	9	Q. Okay. So if the CDC lists 21:04:28
10	Okay. I'm going to mark you 21:02:45	10	counties with the highest prescribing of 21:04:31
11	I'm going to hand you what we've marked as 21:02:46	11	opioids per capita, is that something you 21:04:34
12	Plaintiff's Exhibit 57. 21:02:48	12	would consult in your job in suspicious order 21:04:36
13	Okay. Could you read the file 21:02:50	13	monitoring? 21:04:38
14	name of this document for me, please, ma'am? 21:02:58	14	A. No. 21:04:38
15	A. "Hydro APAP 10s shipped to and 21:03:00	15	Q. Okay. Think it would be 21:04:40
16	sold via by month, January 2015 through 21:03:04	16	helpful? 21:04:44
17	December 2015, 325 milligrams APAP." 21:03:08	17	MR. O'CONNOR: Objection to 21:04:44
18	Q. Okay. Great. 21:03:15	18	form. 21:04:45
19	Okay. I'm going to back up for 21:03:15	19	THE WITNESS: We use various 21:04:45
20	a second, if you'll set this aside, and we'll 21:03:21	20	pieces of information at various 21:04:46
21	talk about it in just a second. I skipped 21:03:23	21	times, so I can't compare and contrast 21:04:49
22	some questions. 21:03:25	22	one thing is more helpful than the 21:04:53
23	Going back to our discussion 21:03:26	23	other. 21:04:56
24	about Campbell County, do you know what 21:03:27	24	QUESTIONS BY MS. HERZFELD: 21:04:56
25	Campbell County's population was in 2010? 21:03:33	25	Q. Okay. I think you looked 21:04:57
	Page 595		Page 597
1	A. No. 21:03:35	1	before at the chargeback data list, the 21:05:03
2	Q. Do you know if Mallinckrodt has 21:03:35	2	chargeback restriction list, Exhibit 36. 21:05:05
3	ever looked specifically at the number of 21:03:37	3	It's Mallinckrodt's chargeback restriction 21:05:09
4	pills it sends to the various counties in 21:03:40	4	list. If you would take a look at that for 21:05:10
5	Tennessee? 21:03:42	5	me for one more second. 21:05:14
6	MR. O'CONNOR: Objection. 21:03:42	6	Are you aware of the number of 21:05:16
7	Form. 21:03:43	7	pharmacies that were on that list, how many 21:05:19
_			
8	QUESTIONS BY MS. HERZFELD: 21:03:43	8	have been subject of law enforcement action? 21:05:21
8 9	QUESTIONS BY MS. HERZFELD: 21:03:43  Q. Have you looked by county? 21:03:44	8 9	
			have been subject of law enforcement action? 21:05:21
9	Q. Have you looked by county? 21:03:44	9	have been subject of law enforcement action? 21:05:21  A. No. 21:05:23
9 10	Q. Have you looked by county? 21:03:44 A. I do not know. 21:03:45	9	have been subject of law enforcement action? 21:05:21  A. No. 21:05:23  Q. Okay. Are you aware if any of 21:05:24
9 10 11	<ul> <li>Q. Have you looked by county? 21:03:44</li> <li>A. I do not know. 21:03:45</li> <li>Q. Okay. Did you run any 21:03:45</li> </ul>	9 10 11	have been subject of law enforcement action? 21:05:21  A. No. 21:05:23  Q. Okay. Are you aware if any of 21:05:24 the reinstated pharmacies on that list have 21:05:26
9 10 11 12 13	Q. Have you looked by county? 21:03:44 A. I do not know. 21:03:45 Q. Okay. Did you run any 21:03:45 chargeback reports by county on a routine 21:03:49	9 10 11 12	have been subject of law enforcement action? 21:05:21  A. No. 21:05:23  Q. Okay. Are you aware if any of 21:05:24 the reinstated pharmacies on that list have 21:05:26 been subject of law enforcement action? 21:05:31
9 10 11 12 13	Q. Have you looked by county? 21:03:44 A. I do not know. 21:03:45 Q. Okay. Did you run any 21:03:45 chargeback reports by county on a routine 21:03:49 basis with Tennessee? 21:03:50	9 10 11 12 13	have been subject of law enforcement action? 21:05:21  A. No. 21:05:23  Q. Okay. Are you aware if any of 21:05:24 the reinstated pharmacies on that list have 21:05:26 been subject of law enforcement action? 21:05:31  A. No. 21:05:32
9 10 11 12 13	Q. Have you looked by county? 21:03:44 A. I do not know. 21:03:45 Q. Okay. Did you run any 21:03:45 chargeback reports by county on a routine 21:03:49 basis with Tennessee? 21:03:50 A. No. 21:03:51	9 10 11 12 13 14	have been subject of law enforcement action? 21:05:21  A. No. 21:05:23  Q. Okay. Are you aware if any of 21:05:24 the reinstated pharmacies on that list have 21:05:26 been subject of law enforcement action? 21:05:31  A. No. 21:05:32 Q. Okay. And do you know if the 21:05:33
9 10 11 12 13 14	Q. Have you looked by county? 21:03:44 A. I do not know. 21:03:45 Q. Okay. Did you run any 21:03:45 chargeback reports by county on a routine 21:03:49 basis with Tennessee? 21:03:50 A. No. 21:03:51 Q. Okay. What about towns? 21:03:51	9 10 11 12 13 14 15	have been subject of law enforcement action? 21:05:21  A. No. 21:05:23  Q. Okay. Are you aware if any of 21:05:24 the reinstated pharmacies on that list have 21:05:26 been subject of law enforcement action? 21:05:31  A. No. 21:05:32  Q. Okay. And do you know if the 21:05:33 pharmacies on that list, that were placed on 21:05:35
9 10 11 12 13 14 15	Q. Have you looked by county? 21:03:44 A. I do not know. 21:03:45 Q. Okay. Did you run any 21:03:45 chargeback reports by county on a routine 21:03:49 basis with Tennessee? 21:03:50 A. No. 21:03:51 Q. Okay. What about towns? 21:03:51 A. The reports can be sorted by 21:03:54	9 10 11 12 13 14 15 16	have been subject of law enforcement action? 21:05:21  A. No. 21:05:23  Q. Okay. Are you aware if any of 21:05:24 the reinstated pharmacies on that list have 21:05:26 been subject of law enforcement action? 21:05:31  A. No. 21:05:32  Q. Okay. And do you know if the 21:05:33 pharmacies on that list, that were placed on 21:05:35 that list, were placed on before or because 21:05:37
9 10 11 12 13 14 15 16	Q. Have you looked by county? 21:03:44 A. I do not know. 21:03:45 Q. Okay. Did you run any 21:03:45 chargeback reports by county on a routine 21:03:49 basis with Tennessee? 21:03:50 A. No. 21:03:51 Q. Okay. What about towns? 21:03:51 A. The reports can be sorted by 21:03:54 towns 21:03:57	9 10 11 12 13 14 15 16	have been subject of law enforcement action? 21:05:21  A. No. 21:05:23  Q. Okay. Are you aware if any of 21:05:24 the reinstated pharmacies on that list have 21:05:26 been subject of law enforcement action? 21:05:31  A. No. 21:05:32  Q. Okay. And do you know if the 21:05:33 pharmacies on that list, that were placed on 21:05:35 that list, were placed on before or because 21:05:37 of I'm sorry, I'm going to back up. I'm 21:05:40
9 10 11 12 13 14 15 16 17	Q. Have you looked by county?       21:03:44         A. I do not know.       21:03:45         Q. Okay. Did you run any       21:03:45         chargeback reports by county on a routine       21:03:49         basis with Tennessee?       21:03:50         A. No.       21:03:51         Q. Okay. What about towns?       21:03:51         A. The reports can be sorted by       21:03:54         towns       21:03:57         Q. Okay.       21:03:58	9 10 11 12 13 14 15 16 17	have been subject of law enforcement action? 21:05:21  A. No. 21:05:23  Q. Okay. Are you aware if any of 21:05:24 the reinstated pharmacies on that list have been subject of law enforcement action? 21:05:31  A. No. 21:05:32  Q. Okay. And do you know if the 21:05:33 pharmacies on that list, that were placed on 21:05:35 that list, were placed on before or because of I'm sorry, I'm going to back up. I'm 21:05:40 going to strike that question. We're going 21:05:43 to start over. 21:05:44
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9 10 11 12 13 14 15 16 17 18 19 20	Q. Have you looked by county?       21:03:44         A. I do not know.       21:03:45         Q. Okay. Did you run any       21:03:45         chargeback reports by county on a routine       21:03:49         basis with Tennessee?       21:03:50         A. No.       21:03:51         Q. Okay. What about towns?       21:03:51         A. The reports can be sorted by       21:03:54         towns       21:03:58         A but not specific to       21:03:58         Tennessee towns.       21:04:02         Q. Okay. Okay. Had you were       21:04:03	9 10 11 12 13 14 15 16 17 18 19	have been subject of law enforcement action? 21:05:21  A. No. 21:05:23  Q. Okay. Are you aware if any of 21:05:24 the reinstated pharmacies on that list have 21:05:26 been subject of law enforcement action? 21:05:31  A. No. 21:05:32  Q. Okay. And do you know if the 21:05:33 pharmacies on that list, that were placed on 21:05:35 that list, were placed on before or because 21:05:37 of I'm sorry, I'm going to back up. I'm 21:05:40 going to strike that question. We're going 21:05:43 to start over. 21:05:44  Do you know of the pharmacies 21:05:45 that were placed on that Mallinckrodt 21:05:48
9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Have you looked by county?       21:03:44         A. I do not know.       21:03:45         Q. Okay. Did you run any       21:03:45         chargeback reports by county on a routine       21:03:49         basis with Tennessee?       21:03:50         A. No.       21:03:51         Q. Okay. What about towns?       21:03:51         A. The reports can be sorted by       21:03:54         towns       21:03:57         Q. Okay.       21:03:58         A but not specific to       21:03:58         Tennessee towns.       21:04:02         Q. Okay. Okay. Had you were       21:04:03         you aware that in 2015 Campbell County       21:04:09	9 10 11 12 13 14 15 16 17 18 19 20 21	have been subject of law enforcement action? 21:05:21  A. No. 21:05:23  Q. Okay. Are you aware if any of 21:05:24 the reinstated pharmacies on that list have been subject of law enforcement action? 21:05:31  A. No. 21:05:32  Q. Okay. And do you know if the 21:05:33 pharmacies on that list, that were placed on 21:05:35 that list, were placed on before or because of I'm sorry, I'm going to back up. I'm 21:05:40 going to strike that question. We're going 21:05:43 to start over. 21:05:44  Do you know of the pharmacies 21:05:45 that were placed on that Mallinckrodt 21:05:48 chargeback restriction list, how many of 21:05:50
9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Have you looked by county?       21:03:44         A. I do not know.       21:03:45         Q. Okay. Did you run any       21:03:45         chargeback reports by county on a routine       21:03:49         basis with Tennessee?       21:03:50         A. No.       21:03:51         Q. Okay. What about towns?       21:03:51         A. The reports can be sorted by       21:03:54         towns       21:03:58         A but not specific to       21:03:58         Tennessee towns.       21:04:02         Q. Okay. Okay. Had you were       21:04:03	9 10 11 12 13 14 15 16 17 18 19 20 21	have been subject of law enforcement action? 21:05:21  A. No. 21:05:23  Q. Okay. Are you aware if any of 21:05:24 the reinstated pharmacies on that list have 21:05:26 been subject of law enforcement action? 21:05:31  A. No. 21:05:32  Q. Okay. And do you know if the 21:05:33 pharmacies on that list, that were placed on 21:05:35 that list, were placed on before or because 21:05:37 of I'm sorry, I'm going to back up. I'm 21:05:40 going to strike that question. We're going 21:05:43 to start over. 21:05:44  Do you know of the pharmacies 21:05:45 that were placed on that Mallinckrodt 21:05:48

	Page 598		Page 600
1	Q. Okay. You can set it aside, 21:06:00	1	5 - S
2	please. 21:06:02	2	MR. O'CONNOR: Objection to 21:08:04
3	Have you ever heard of Clay 21:06:03	3	form. 21:08:05
4	County, Tennessee? 21:06:08	4	THE WITNESS: I don't have 21:08:05
5	A. No. 21:06:09	5	enough information to answer. 21:08:06
6	Q. Do you know what the population 21:06:09	6	QUESTIONS BY MS. HERZFELD: 21:08:09
7	is of Clay County, Tennessee? 21:06:10	7	Q. Okay. And the information that 21:08:09
8	A. No. 21:06:12	8	you would want would be the information 21:08:11
9	Q. Okay. Has there been any 21:06:12	9	that's contained on that pharmacy information 21:08:12
10	discussion in your professional capacity at 21:06:15	10	sheet that we talked about earlier? 21:08:14
11	Mallinckrodt having to do with Clay County, 21:06:16	11	A. Part of the information, yes. 21:08:16
12	Tennessee? 21:06:19	12	Q. Okay. And the other 21:08:20
13	A. Not that I recall. 21:06:19	13	information would be information that you get 21:08:21
14	Q. Okay. If you'll take a look at 21:06:21	14	from the Google Alerts; is that right? 21:08:23
15	Exhibit 57 for me, please, ma'am. 21:06:23	15	A. Potentially. 21:08:25
16	Okay. You've already 21:06:25	16	Q. Okay. And is there any other 21:08:27
17	identified this document. I will submit to 21:06:27	17	information you can think of that you'd want 21:08:28
18	you that we've modified it to show only the 21:06:29	18	to know to make that decision? 21:08:30
19	town of Celina, Tennessee. 21:06:33	19	A. So let's circle back, please. 21:08:31
20	If you'll flip to the page, do 21:06:34	20	Q. Sure. 21:08:33
21	you recognize this as chargeback data, ma'am? 21:06:37	21	A. We're talking about Celina, 21:08:33
22	A. Yes. 21:06:40	22	Tennessee. 21:08:35
23	Q. Okay. Looking at this 21:06:40	23	Q. Yes, ma'am. 21:08:35 A. And what's what's the 21:08:36
24	chargeback data, does it indicate to you that 21:06:41	24	
25	Rite Aid number 2494 in Celina, Tennessee, 21:06:43	25	question again, please? 21:08:37
	Page 599	-	D 601
	1 age 377		Page 601
1	through McKesson, received 87,000 21:06:55	1	Q. The question was if you thought 21:08:38
1 2	_	1 2	_
	through McKesson, received 87,000 21:06:55		Q. The question was if you thought 21:08:38
2	through McKesson, received 87,000 21:06:55  Mallinckrodt hydro APAP 10s? 21:06:59  A. Yes. 21:07:05  Q. Okay. And then Anderson 21:07:06	2 3 4	Q. The question was if you thought 21:08:38 that was an appropriate number of hydro APAP 21:08:40 pills to be going to that town. 21:08:46 A. Okay. And I said I can't 21:08:48
2 3	through McKesson, received 87,000 21:06:55  Mallinckrodt hydro APAP 10s? 21:06:59  A. Yes. 21:07:05	2 3 4	Q. The question was if you thought 21:08:38 that was an appropriate number of hydro APAP 21:08:40 pills to be going to that town. 21:08:46 A. Okay. And I said I can't 21:08:48 answer. I don't have enough information. 21:08:50
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2 3 4 5 6	through McKesson, received 87,000 21:06:55  Mallinckrodt hydro APAP 10s? 21:06:59  A. Yes. 21:07:05  Q. Okay. And then Anderson 21:07:06  Hometown Pharmacy received 500 hydro APAP 10s 21:07:10  through McKesson; is that right? 21:07:14  A. Yes. 21:07:15  Q. Okay. And then Cumberland 21:07:15	2 3 4 5	Q. The question was if you thought 21:08:38 that was an appropriate number of hydro APAP 21:08:40 pills to be going to that town. 21:08:46 A. Okay. And I said I can't 21:08:48 answer. I don't have enough information. 21:08:50 Q. And so then I said you'd want 21:08:50 the information on the pharmacy information 21:08:51 sheet that we talked about before in order to 21:08:53
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	through McKesson, received 87,000 21:06:55  Mallinckrodt hydro APAP 10s? 21:06:59  A. Yes. 21:07:05  Q. Okay. And then Anderson 21:07:06  Hometown Pharmacy received 500 hydro APAP 10s 21:07:10 through McKesson; is that right? 21:07:14  A. Yes. 21:07:15  Q. Okay. And then Cumberland 21:07:15  River Hospital, also in Celina, Tennessee, 21:07:18 through Cardinal received 200 hydro APAP 10s; 21:07:21 is that right? 21:07:24  A. Yes. 21:07:24  Q. Okay. And that shows, if you 21:07:25 total it and I think this math is a little 21:07:28 easier that's 87,700 hydro APAP 10s sent 21:07:30 to Celina, Tennessee, that were Mallinckrodt 21:07:38	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. The question was if you thought 21:08:38 that was an appropriate number of hydro APAP 21:08:40 pills to be going to that town. 21:08:46 A. Okay. And I said I can't 21:08:48 answer. I don't have enough information. 21:08:50 Q. And so then I said you'd want 21:08:50 the information on the pharmacy information 21:08:51 sheet that we talked about before in order to 21:08:53 make that determination? 21:08:54 A. Yes, as one of the factors, 21:08:55 yes. 21:08:59 Q. And one of the other factors 21:08:59 would be the information that you gleaned 21:09:00 from Google Alerts? 21:09:01 A. Yes. 21:09:02 Q. Okay. And is there any other 21:09:03
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	Page 602		Page 604
1	(Mallinckrodt-Harper Exhibit 58 21:09:26	1	QUESTIONS BY MS. HERZFELD: 21:11:36
2	marked for identification.) 21:09:27	2	Q. Okay. I'm going to hand you 21:11:36
3	QUESTIONS BY MS. HERZFELD: 21:09:27	3	what I'm going to mark as Exhibit 59, 21:11:48
4	Q. Okay. Number 58. If you'll 21:09:35	4	MNK-TN_000642 no, 6462195. 21:11:52
5	take a look at this for me, please. 21:09:49	5	These all got jammed together, 21:12:01
6	Could you please read the 21:09:59	6	guys. Sorry. 21:12:05
7	title? 21:09:59	7	If you'll look with me all the 21:12:07
8	A. "DEA investigators seeking 21:10:00	8	way down to 21:12:09
9	answers in small Tennessee town." 21:10:05	9	You don't have to read the 21:12:26
10	Q. And what does it say after 21:10:08	10	whole thing, but if you look where Tom 21:12:30
11	that? 21:10:10	11	Thomas Duffel three-quarters of the way 21:12:34
12	A. There's a header. 21:10:10	12	down the page? 21:12:35
13	Q. Yes, ma'am. 21:10:13	13	A. Yes. 21:12:36
14	A. Drug Enforcement 21:10:14	14	Q. And he, it looks like, sends an 21:12:36
15	Administration. 21:10:15	15	e-mail to you on September 11, 2017, and 21:12:37
16	Q. Okay. So this is a press 21:10:15	16	Debbie Dingle {sic}. 21:12:40
17	release coming from the Drug Enforcement 21:10:16	17	Do you see that? 21:12:42
18	Administration? 21:10:18	18	A. Yes. 21:12:42
19	A. Yes. 21:10:18	19	Q. And the subject is regarding 21:12:43
20	Q. Okay. And then under that it 21:10:19	20	need listing of all current and past narcotic 21:12:46
21	says, "Rural Clay County pharmacies 2017 21:10:26	21	SKUs. 21:12:48
22	purchases from distributors totaled more than 21:10:28	22	Do you see that? 21:12:49
23	1 million pills." 21:10:30	23	A. Yes. 21:12:49
24	Do you see that? 21:10:31	24	Q. Okay. And so his e-mail to you 21:12:50
25	A. Yes. 21:10:31	25	and Debbie is, "Karen/Debbie, just to make 21:12:53
	Page (02		Dana (05
	Page 603		Page 605
1	Q. Okay. And then the date line, 21:10:32	1	sure, I'm sending a list of the items that we 21:12:57
2	what is the city and state that it indicates? 21:10:35	2	used to pull the most recent Tennessee orders 21:13:00
3	A. Celina, Tennessee. 21:10:37	3	report. I'm assuming that the list will 21:13:02
4	Q. Okay. And then if you could 21:10:39	4	
l =	mod the first contained for me mlaces? 21.10.40		remain constant as we have requests like 21:13:04
5	read the first sentence for me, please? 21:10:40	5	these. Please let me know if there are any 21:13:07
6	A. "DEA investigators this week 21:10:41	5	these. Please let me know if there are any 21:13:07 issues. Thank you." 21:13:09
6	A. "DEA investigators this week 21:10:41 conducted inspections at several pharmacy 21:10:45	5 6 7	these. Please let me know if there are any 21:13:07 issues. Thank you." 21:13:09  Did I read that correctly? 21:13:13
6 7 8	A. "DEA investigators this week 21:10:41 conducted inspections at several pharmacy 21:10:45 locations in the Clay County, Tennessee, 21:10:47	5 6 7 8	these. Please let me know if there are any 21:13:07 issues. Thank you." 21:13:09  Did I read that correctly? 21:13:13  A. Yes. 21:13:13
6 7 8 9	A. "DEA investigators this week 21:10:41 conducted inspections at several pharmacy 21:10:45 locations in the Clay County, Tennessee, 21:10:47 town" pardon me "of Celina following an 21:10:52	5 6 7 8 9	these. Please let me know if there are any 21:13:07 issues. Thank you." 21:13:09 Did I read that correctly? 21:13:13 A. Yes. 21:13:13 Q. Okay. Do you know what he's 21:13:14
6 7 8 9	A. "DEA investigators this week 21:10:41 conducted inspections at several pharmacy 21:10:45 locations in the Clay County, Tennessee, 21:10:47 town" pardon me "of Celina following an 21:10:52 inquiry into irregular patterns of pill 21:10:56	5 6 7 8 9	these. Please let me know if there are any 21:13:07 issues. Thank you." 21:13:09  Did I read that correctly? 21:13:13  A. Yes. 21:13:13  Q. Okay. Do you know what he's 21:13:14 talking about? 21:13:16
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6 7 8 9 10 11 12 13	A. "DEA investigators this week 21:10:41 conducted inspections at several pharmacy 21:10:45 locations in the Clay County, Tennessee, 21:10:47 town" pardon me "of Celina following an 21:10:52 inquiry into irregular patterns of pill 21:10:56 purchases from drug distribution companies." 21:10:58  Q. Okay. You can stop there. 21:11:03  Were you aware of this DEA 21:11:05	5 6 7 8 9 10 11 12 13	these. Please let me know if there are any 21:13:07 issues. Thank you." 21:13:09 Did I read that correctly? 21:13:13 A. Yes. 21:13:13 Q. Okay. Do you know what he's 21:13:14 talking about? 21:13:16 A. Yes. 21:13:16 Q. Okay. What he's talking about? 21:13:16 A. He's determining that he has 21:13:17
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6 7 8 9 10 11 12 13 14 15 16	A. "DEA investigators this week 21:10:41 conducted inspections at several pharmacy 21:10:45 locations in the Clay County, Tennessee, 21:10:47 town" pardon me "of Celina following an 21:10:52 inquiry into irregular patterns of pill 21:10:56 purchases from drug distribution companies." 21:10:58  Q. Okay. You can stop there. 21:11:03  Were you aware of this DEA 21:11:05 investigation? 21:11:07  A. No. 21:11:07  Q. Okay. Thank you, ma'am. You 21:11:07	5 6 7 8 9 10 11 12 13 14 15 16	these. Please let me know if there are any 21:13:07 issues. Thank you." 21:13:09  Did I read that correctly? 21:13:13  A. Yes. 21:13:13  Q. Okay. Do you know what he's 21:13:14 talking about? 21:13:16  A. Yes. 21:13:16  Q. Okay. What he's talking about? 21:13:16  A. He's determining that he has 21:13:17 the list of all opioid products to pull this 21:13:20 report and other reports. 21:13:24
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6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. "DEA investigators this week 21:10:41 conducted inspections at several pharmacy 21:10:45 locations in the Clay County, Tennessee, 21:10:47 town" pardon me "of Celina following an 21:10:52 inquiry into irregular patterns of pill 21:10:56 purchases from drug distribution companies." 21:10:58 Q. Okay. You can stop there. 21:11:03 Were you aware of this DEA 21:11:05 investigation? 21:11:07 A. No. 21:11:07 Q. Okay. Thank you, ma'am. You 21:11:07 can set that aside. 21:11:09 Okay. In 2017, did you start 21:11:20 working on pulling Tennessee order reports? 21:11:25 MR. O'CONNOR: Objection. 21:11:27 Form. 21:11:28 THE WITNESS: I don't know. 21:11:28	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	these. Please let me know if there are any 21:13:07 issues. Thank you." 21:13:09  Did I read that correctly? 21:13:13  A. Yes. 21:13:13  Q. Okay. Do you know what he's 21:13:14 talking about? 21:13:16  A. Yes. 21:13:16  Q. Okay. What he's talking about? 21:13:16  A. He's determining that he has 21:13:17 the list of all opioid products to pull this 21:13:20 report and other reports. 21:13:22  Q. For Tennessee orders? 21:13:24  A. In this case, yes. 21:13:25  Q. Okay. And do you know why he 21:13:28 was pulling Tennessee orders? 21:13:30  Q. You don't? 21:13:31  A. No. 21:13:32
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6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. "DEA investigators this week 21:10:41 conducted inspections at several pharmacy 21:10:45 locations in the Clay County, Tennessee, 21:10:47 town" pardon me "of Celina following an 21:10:52 inquiry into irregular patterns of pill 21:10:56 purchases from drug distribution companies." 21:10:58 Q. Okay. You can stop there. 21:11:03 Were you aware of this DEA 21:11:05 investigation? 21:11:07 A. No. 21:11:07 Q. Okay. Thank you, ma'am. You 21:11:07 can set that aside. 21:11:09 Okay. In 2017, did you start 21:11:20 working on pulling Tennessee order reports? 21:11:25 MR. O'CONNOR: Objection. 21:11:27 Form. 21:11:28 THE WITNESS: I don't know. 21:11:35	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	these. Please let me know if there are any 21:13:07 issues. Thank you." 21:13:09  Did I read that correctly? 21:13:13  A. Yes. 21:13:13  Q. Okay. Do you know what he's 21:13:14 talking about? 21:13:16  A. Yes. 21:13:16  Q. Okay. What he's talking about? 21:13:16  A. He's determining that he has 21:13:17 the list of all opioid products to pull this 21:13:20 report and other reports. 21:13:22  Q. For Tennessee orders? 21:13:24  A. In this case, yes. 21:13:25  Q. Okay. And do you know why he 21:13:28 was pulling Tennessee orders? 21:13:30  Q. You don't? 21:13:31  A. No. 21:13:32  Q. Okay. Was did anybody ever 21:13:32

		_	
	Page 606		Page 608
1	could have been a request by by counsel. 21:13:41	1	A. Yes. 21:16:07
2	Q. Okay. Can you think of any 21:13:51	2	Q. Okay. "David, that will take 21:16:08
3	other reason there would have been a request 21:13:53	3	an additional day or two to complete. You'll 21:16:13
4	to pull Tennessee numbers? 21:13:55	4	have it no later than Friday COB. I'm 21:16:14
5	A. A subpoena, request from 21:13:57	5	waiting on slide input from David Hunter. 21:16:15
6	counsel, those type of things. 21:14:03	6	Don has slammed me last night and today with 21:16:18
7	Q. Okay. 21:14:04	7	work for the Tennessee matter and DEA meeting 21:16:19
8	A. Yes. 21:14:04	8	prep. Sorry." 21:16:21
9	Q. Okay. 21:14:08	9	What is the Tennessee matter? 21:16:22
10	(Mallinckrodt-Harper Exhibit 60 21:14:17	10	A. So I don't know specifically 21:16:24
11	marked for identification.) 21:14:21	11	what the Tennessee matter is or was. 21:16:27
12	MR. O'CONNOR: For the record, 21:14:21	12	Q. Okay. What was the DEA meeting 21:16:31
13	I think we're closing in on 21:14:22	13	prep? 21:16:33
14	20 minutes. 21:14:24	14	A. I don't know. I don't recall. 21:16:34
15	MS. HERZFELD: Oh, my gosh, 21:14:24	15	Q. Okay. All right. And have you 21:16:36
16	really? I thought I was doing so 21:14:25	16	read the complaint in the Tennessee matter? 21:16:48
17	well. I'm so sorry. So close. 21:14:28	17	A. No. 21:16:50
18	QUESTIONS BY MS. HERZFELD: 21:14:32	18	Q. Okay. But it was sent to you; 21:16:51
19	Q. Okay. I'm going to hand you 21:14:34	19	is that right? 21:16:54
20	60, and I think there's only one after this 21:14:35	20	A. I'm not certain of that. 21:16:54
21	one. 21:14:37	21	(Mallinckrodt-Harper Exhibit 61 21:16:57
22	Okay. I'm going to hand you 21:14:38	22	marked for identification.) 21:16:58
23	what's been marked as Plaintiff's Exhibit 60, 21:14:40	23	QUESTIONS BY MS. HERZFELD: 21:16:58
24	and that is MNK-T1_0007185456. Okay. It is 21:14:45	24	Q. I'm going to give you our very 21:17:04
25	a two-page document. 21:15:03	25	last exhibit, which is 61. I'm handing you 21:17:05
	a two page document.		last exhibit, which is off. The handing you 21171.00
	Page 607		P <000
			Page 609
1	Do you recognize this as an 21:15:04	1	what is marked as Plaintiff's Exhibit 61. 21:17:17
1 2		1 2	_
	Do you recognize this as an 21:15:04		what is marked as Plaintiff's Exhibit 61. 21:17:17
2	Do you recognize this as an 21:15:04 e-mail chain between you and David Widder? 21:15:05	2	what is marked as Plaintiff's Exhibit 61. 21:17:17  Okay. This appears to be an 21:17:19
2 3	Do you recognize this as an 21:15:04 e-mail chain between you and David Widder? 21:15:05 A. Yes. 21:15:08	2 3	what is marked as Plaintiff's Exhibit 61. 21:17:17  Okay. This appears to be an 21:17:19 e-mail from Don Lohman and John Gillies and 21:17:28
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2 3 4 5 6	e-mail chain between you and David Widder? 21:15:05  A. Yes. 21:15:08  Q. Dated over the course of June 21:15:10  2017? 21:15:14  A. Yes. 21:15:14	2 3 4 5 6	what is marked as Plaintiff's Exhibit 61. 21:17:17  Okay. This appears to be an 21:17:19  e-mail from Don Lohman and John Gillies and 21:17:28  you dated June 14, 2017; is that right? 21:17:33  A. Yes. 21:17:35  Q. Okay. And it says, filed 21:17:39
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2 3 4 5 6 7 8	e-mail chain between you and David Widder? 21:15:05  A. Yes. 21:15:08  Q. Dated over the course of June 21:15:10  2017? 21:15:14  A. Yes. 21:15:14  Q. Okay. Who is David Widder? 21:15:16  A. He he was another person to 21:15:18	2 3 4 5 6 7 8	what is marked as Plaintiff's Exhibit 61. 21:17:17 Okay. This appears to be an 21:17:19 e-mail from Don Lohman and John Gillies and 21:17:28 you dated June 14, 2017; is that right? 21:17:33 A. Yes. 21:17:35 Q. Okay. And it says, filed 21:17:39 complaint 6/13/2017, and this was e-mailed to 21:17:42 you 6/14/2017; is that right? 21:17:47
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	e-mail chain between you and David Widder? 21:15:05  A. Yes. 21:15:08  Q. Dated over the course of June 21:15:10  2017? 21:15:14  A. Yes. 21:15:14  Q. Okay. Who is David Widder? 21:15:16  A. He he was another person to 21:15:18  whom my group reported. 21:15:22  Q. Okay. What was his position? 21:15:24  A. His title has changed over 21:15:25  time, but he's in supply chain is the name 21:15:28  of his group. 21:15:31  Q. Okay. And so if you'll go down 21:15:33  with me, it looks like David Widder is saying 21:15:35  to you in the second e-mail down, Wednesday, 21:15:41  June 14, 2017, "No worries. If we can 21:15:43  complete by the end of the week, we'll be in 21:15:46  a good spot. The DEA meeting prep and 21:15:51  Do you see that? 21:15:53  A. Yes. 21:15:54  Q. And he is responding to you 21:15:55	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	what is marked as Plaintiff's Exhibit 61. 21:17:17 Okay. This appears to be an 21:17:19 e-mail from Don Lohman and John Gillies and 21:17:28 you dated June 14, 2017; is that right? 21:17:33 A. Yes. 21:17:35 Q. Okay. And it says, filed 21:17:39 complaint 6/13/2017, and this was e-mailed to 21:17:42 you 6/14/2017; is that right? 21:17:47 A. Yes, I see that. 21:17:48 Q. Okay. And I just copied the 21:17:49 first page of our complaint because it's 21:17:51 really super long. 21:17:52 A. Okay. 21:17:53 Q. Did you ever read it? 21:17:54 A. No. 21:17:55 Q. Okay. You received it, but you 21:17:56 didn't read it? 21:17:58 A. It's clear that I received it. 21:17:58 I don't recall receiving it, and I don't 21:18:00 recall reading it. 21:18:02 Q. Okay. And so when we were 21:18:03 talking before about the Tennessee matter, 21:18:04 could it have been the filing of our 21:18:06
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7 A. Oh, because I don't know. 21:18:14 7 Q. Okay. Mallinckrodt 8 Q. Oh, okay. Very good. 21:18:16 8 manufactures methylphenidate, cc 9 A. Sorry. 21:18:20 9 A. Yes. 22	nies that 21:20:20 Ill orders 21:20:22
THE WITNESS: I can't answer 21:18:10 2 Q. Okay. For those companies that question. 21:18:11 3 submit chargeback requests, are a 4 QUESTIONS BY MS. HERZFELD: 21:18:11 4 that those companies receive reflection of the properties of	nies that 21:20:20 Ill orders 21:20:22 ected in 21:20:26
that question. 21:18:11  4 QUESTIONS BY MS. HERZFELD: 21:18:11  5 Q. You can't answer because you 21:18:12  6 don't know or because it's privileged? 21:18:13  7 A. Oh, because I don't know. 21:18:14  8 Q. Oh, okay. Very good. 21:18:16  9 A. Sorry. 21:18:20  3 submit chargeback requests, are a that those companies receive reflection to the properties of	21:20:22 ected in 21:20:26
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9 A. Sorry. 21:18:20 9 A. Yes. 2	21:20:32
	orrect? 21:20:39
10 MC HEDZEELD OL 11 1 O1100Z	21:20:44
10 MS. HERZFELD: Okay. I don't 21:18:27   10 Q. Do you know what	21:20:45
think I have any other questions. 21:18:28   11 methylphenidate is used to treat?	21:20:46
MR. O'CONNOR: Excellent. Can 21:18:30   12 A. Attention-deficit/hyperae	ctivity 21:20:48
we go off the record? 21:18:32 13 disorder.	21:20:52
VIDEOGRAPHER: We are going off 21:18:33   14 Q. Okay. Is it used to treat	21:20:52
the record at 9:18 p.m. 21:18:34   15 pain, as far as you know?	21:20:54
16 (Off the record at 9:18 p.m.) 21:18:36   16 A. I do not know.	21:20:56
VIDEOGRAPHER: We are back on 21:19:09 17 Q. Okay. Is methylphenida	ate an 21:20:56
	21:21:00
19 CROSS-EXAMINATION 21:19:19 19 A. It's a, yes, a synthetic	21:21:01
	21:21:03
Q. Ms. Harper, considering the 21:19:20 21 Q. It's a synthetic opioid. C	Okay. 21:21:03
22 hour, I'll keep this very brief. Just a few 21:19:20 22 And do you have any scie	
23 questions. 21:19:23 23 background on which you're basin	
24 Earlier today you testified 21:19:23 24 statement?	21:21:16
25 about the scope of information provided 21:19:25 25 A. No scientific background	
	u, no. 21.21.10
Page 611	Page 613
1 through chargeback requests. 21:19:27 1 Q. Just a few minutes ago	you 21:21:17
2 Do you generally recall 21:19:28 2 discussed with Ms. Herzfeld a n	umber of 21:21:21
	uniber of 21.21.21
3 testifying on that issue? 21:19:30 3 charts, including those labeled	
	or marked 21:21:26
3 testifying on that issue? 21:19:30 3 charts, including those labeled	or marked 21:21:26 . 21:21:30
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3 testifying on that issue?  4 A. Yes.  5 Q. I just want to ask a few  6 questions so the record is clear on this.  7 Does chargeback data allow  8 Mallinckrodt visibility into all the sales of  9 its products made by distributor customers?  10 A. No.  21:19:30  3 charts, including those labeled  4 Exhibits 40 through 57, roughly  5 Do you remember the clear of referring to?  7 A. Yes.  8 Q. Okay. And many of the purported to reflect chargeback of purported to reflect chargeback of your understanding?	or marked 21:21:26 21:21:30 harts I'm 21:21:33 21:21:34 21:21:35 hose charts 21:21:38 data; is that 21:21:44 21:21:47 21:21:48
3 testifying on that issue?  4 A. Yes.  5 Q. I just want to ask a few  6 questions so the record is clear on this.  7 Does chargeback data allow  8 Mallinckrodt visibility into all the sales of 21:19:41  9 its products made by distributor customers?  10 A. No.  11 Q. Do all distributor customers  21:19:30  3 charts, including those labeled  4 Exhibits 40 through 57, roughly  5 Do you remember the clear of referring to?  7 A. Yes.  8 Q. Okay. And many of the purported to reflect chargeback of your understanding?  10 your understanding?  11 A. Yes.	or marked 21:21:26  . 21:21:30  harts I'm 21:21:33  21:21:34  21:21:35  tose charts 21:21:38  data; is that 21:21:44  21:21:47  21:21:48  bendent 21:21:49
3 testifying on that issue?  4 A. Yes.  5 Q. I just want to ask a few  6 questions so the record is clear on this.  7 Does chargeback data allow  8 Mallinckrodt visibility into all the sales of  9 its products made by distributor customers?  10 A. No.  11 Q. Do all distributor customers  12 submit chargeback information?  21:19:30  3 charts, including those labeled  4 Exhibits 40 through 57, roughly  5 Do you remember the clear of referring to?  7 A. Yes.  8 Q. Okay. And many of the purported to reflect chargeback of your understanding?  11 A. Yes.  12 Q. Do you have any indeptor to purpose the purported to reflect chargeback of the purpose to reflect chargeback of your understanding?  11 A. Yes.  12 Q. Do you have any indeptor to purpose the purpose to reflect chargeback of the purpose to reflect chargeback of your understanding?  12 Q. Do you have any indeptor to purpose the purpose to reflect chargeback of your understanding?  13 charts, including those labeled  4 Exhibits 40 through 57, roughly  5 Do you remember the clear of referring to?  7 A. Yes.  9 purported to reflect chargeback of your understanding?  10 A. Yes.  11 Q. Do all distributor customers  12:19:52 Q. Do you have any indeptor the purpose the purpo	or marked 21:21:26  . 21:21:30  harts I'm 21:21:33  21:21:34  21:21:35  tose charts 21:21:38  data; is that 21:21:44  21:21:47  21:21:48  bendent 21:21:49
3 testifying on that issue?  4 A. Yes.  21:19:31  5 Q. I just want to ask a few  21:19:32  6 questions so the record is clear on this.  21:19:37  7 Does chargeback data allow  21:19:39  8 Mallinckrodt visibility into all the sales of  21:19:43  10 A. No.  21:19:48  11 Q. Do all distributor customers  21:19:52  12 Q. Do you remember the clear of this.  21:19:48  12 submit chargeback information?  21:19:53  13 charts, including those labeled  4 Exhibits 40 through 57, roughly  5 Do you remember the clear of this.  21:19:37  7 A. Yes.  8 Q. Okay. And many of the purported to reflect chargeback of your understanding?  10 A. No.  21:19:48  11 A. Yes.  12 Q. Do you have any indeptor of the chargeback of the chargeback of your way in any of those charts?	or marked 21:21:26 21:21:30 harts I'm 21:21:33 21:21:34 21:21:35 hose charts 21:21:38 data; is that 21:21:44 21:21:47 21:21:48 bendent 21:21:49 umbers that 21:21:53
3 testifying on that issue?  4 A. Yes.  21:19:30  5 Q. I just want to ask a few  21:19:32  6 questions so the record is clear on this.  7 Does chargeback data allow  21:19:39  8 Mallinckrodt visibility into all the sales of  9 its products made by distributor customers?  10 A. No.  21:19:48  11 Q. Do all distributor customers  21:19:48  12 submit chargeback information?  21:19:52  13 A. Yes.  21:19:53  14 Q. Do all customers of  21:19:54  15 Mallinckrodt product submit chargeback  21:19:56  21:19:56  3 charts, including those labeled  4 Exhibits 40 through 57, roughly  5 Do you remember the cle  7 A. Yes.  8 Q. Okay. And many of the  9 purported to reflect chargeback of  9 your understanding?  10 A. Yes.  11 A. Yes.  12 Q. Do you have any indep	or marked 21:21:26  . 21:21:30  harts I'm 21:21:33  21:21:34  21:21:35  lose charts 21:21:38  data; is that 21:21:44  21:21:47  21:21:48  bendent 21:21:49  umbers that 21:21:53  21:21:58  21:22:00
3 testifying on that issue?  4 A. Yes.  5 Q. I just want to ask a few  6 questions so the record is clear on this.  7 Does chargeback data allow  8 Mallinckrodt visibility into all the sales of  9 its products made by distributor customers?  10 A. No.  11 Q. Do all distributor customers  12 submit chargeback information?  12 Submit chargeback information?  13 charts, including those labeled  4 Exhibits 40 through 57, roughly  5 Do you remember the cle  6 referring to?  7 A. Yes.  8 Q. Okay. And many of th  9 purported to reflect chargeback of  10 your understanding?  11 A. Yes.  12 Submit chargeback information?  13 A. Yes.  14 Q. Do all customers of  15 Mallinckrodt product submit chargeback  16 requests?  17 A. Yes.  18 Q. Okay. And many of the purported to reflect chargeback of your understanding?  19 purported to reflect chargeback of your understanding?  11 A. Yes.  12 Q. Do you have any independent of the chargeback of your saw in any of those charts?  15 A. No.  16 requests?  17 A. Yes.  18 Q. Okay. And many of the purported to reflect chargeback of your understanding?  10 A. Yes.  11 A. Yes.  12 Q. Do you have any independent of the chargeback of your saw in any of those charts?  15 A. No.  16 Q. So from time to time were applied to the purported to reflect chargeback of your understanding?  19 purported to reflect chargeback of your understanding?  10 A. Yes.  11 A. Yes.  12 Q. Do you have any independent of the chargeback of your saw in any of those charts?  15 A. No.  16 Q. So from time to time were applied to the purported to reflect chargeback of your understanding?  10 A. Yes.  11 A. Yes.  12 Q. Do you have any independent of the chargeback of your understanding?  13 A. Yes.  14 Yes.  15 A. No.	or marked 21:21:26 21:21:30 harts I'm 21:21:33 21:21:34 21:21:35 hose charts 21:21:38 data; is that 21:21:44 21:21:47 21:21:48 bendent 21:21:49 umbers that 21:21:53 21:21:58 21:22:00 when you 21:22:02
3 testifying on that issue?  4 A. Yes.  21:19:30  4 Exhibits 40 through 57, roughly  5 Q. I just want to ask a few  21:19:32  6 questions so the record is clear on this.  21:19:37  7 Does chargeback data allow  21:19:39  8 Mallinckrodt visibility into all the sales of  21:19:43  10 A. No.  21:19:48  11 Q. Do all distributor customers  21:19:48  12 submit chargeback information?  21:19:52  13 A. Yes.  21:19:53  14 Q. Do all customers of  21:19:54  15 Mallinckrodt product submit chargeback  21:19:59  16 Q. So from time to time w  17 A. No.  21:20:01  3 charts, including those labeled  4 Exhibits 40 through 57, roughly  5 Do you remember the cle  6 referring to?  7 A. Yes.  9 purported to reflect chargeback of  9 purported to reflect chargeback of  10 your understanding?  11 A. Yes.  12 Q. Do you have any indepreceded of  13 A. No.  14 Q. Do all customers of  21:19:54  15 A. No.  16 Q. So from time to time w  17 indicated to Ms. Herzfeld that you	or marked 21:21:26 21:21:30 harts I'm 21:21:33 21:21:34 21:21:35 hose charts 21:21:38 data; is that 21:21:44 21:21:47 21:21:48 bendent 21:21:49 umbers that 21:21:53 21:21:58 21:22:00 when you 21:22:02 ou thought 21:22:07
3 testifying on that issue?  4 A. Yes.  5 Q. I just want to ask a few  6 questions so the record is clear on this.  7 Does chargeback data allow  7 Does chargeback data allow  8 Mallinckrodt visibility into all the sales of  9 its products made by distributor customers?  10 A. No.  11 Q. Do all distributor customers  11 Q. Do all distributor customers  12 submit chargeback information?  12 submit chargeback information?  13 charts, including those labeled  4 Exhibits 40 through 57, roughly  5 Do you remember the cle  6 referring to?  7 A. Yes.  8 Q. Okay. And many of th  9 purported to reflect chargeback of  10 your understanding?  11 A. Yes.  12 Submit chargeback information?  13 A. Yes.  14 Q. Do all customers of  15 A. No.  16 requests?  17 A. No.  18 Q. And of those Mallinckrodt  21:20:01  18 Q. And of those Mallinckrodt  21:20:03	- or marked 21:21:26 . 21:21:30 harts I'm 21:21:33 21:21:34 21:21:35 lose charts 21:21:38 data; is that 21:21:44 21:21:47 21:21:48 lendent 21:21:49 lumbers that 21:21:53 21:21:58 21:22:00 lyhen you 21:22:02 lou thought 21:22:07 ld you have 21:22:09
3 testifying on that issue? 4 A. Yes. 5 Q. I just want to ask a few 6 questions so the record is clear on this. 7 Does chargeback data allow 8 Mallinckrodt visibility into all the sales of 21:19:31 9 its products made by distributor customers? 10 A. No. 11 Q. Do all distributor customers 11 Q. Do all distributor customers 12 submit chargeback information? 12 Submit chargeback information? 13 Charts, including those labeled 14 Exhibits 40 through 57, roughly 15 Do you remember the clear of referring to? 16 referring to? 17 A. Yes. 18 Q. Okay. And many of the purported to reflect chargeback of your understanding? 19 purported to reflect chargeback of your understanding? 11 A. Yes. 12 Q. Do you have any indeposition of the chargeback of your saw in any of those charts? 15 Mallinckrodt product submit chargeback 16 requests? 17 A. No. 18 Q. And of those Mallinckrodt 19 customers that do from time to time submit 21:20:03 21:19:20:01 21:19:20:01 22:20:05 23 charts, including those labeled 24 Exhibits 40 through 57, roughly 25 Do you remember the clear referring to? 7 A. Yes. 21:19:39 9 purported to reflect chargeback of your understanding? 11 A. Yes. 12 Q. Do you have any indeposition of the chargeback of your saw in any of those charts? 13 recollection of the chargeback of your saw in any of those charts? 15 A. No. 16 Q. So from time to time would indicated to Ms. Herzfeld that you customers that do from time to time submit 21:20:05 18 certain numbers were correct, did and the purported to reflect chargeback of the purp	- or marked 21:21:26 . 21:21:30 harts I'm 21:21:33 21:21:34 21:21:35 lose charts 21:21:38 data; is that 21:21:44 21:21:47 21:21:48 lendent 21:21:49 lumbers that 21:21:53 21:21:58 21:22:00 lyhen you 21:22:02 lou thought 21:22:07 ld you have 21:22:09 han seeing 21:22:11
3 testifying on that issue?  4 A. Yes.  5 Q. I just want to ask a few  6 questions so the record is clear on this.  7 Does chargeback data allow  9 its products made by distributor customers?  10 A. No.  11 Q. Do all distributor customers  12 submit chargeback information?  13 charts, including those labeled  4 Exhibits 40 through 57, roughly  5 Do you remember the clear of referring to?  7 A. Yes.  8 Q. Okay. And many of the purported to reflect chargeback of purported to reflect chargeback of your understanding?  10 A. No.  11 Q. Do all distributor customers  12 submit chargeback information?  13 A. Yes.  14 Q. Do all customers of  15 Mallinckrodt product submit chargeback  16 requests?  17 A. No.  18 Q. And of those Mallinckrodt  21:20:01  19 customers that do from time to time submit  21:20:05  20 charts, including those labeled  4 Exhibits 40 through 57, roughly  5 Do you remember the clear of referring to?  7 A. Yes.  8 Q. Okay. And many of the purported to reflect chargeback of your understanding?  10 A. Yes.  11 A. Yes.  12 Q. Do you have any independent of the chargeback of your saw in any of those charts?  13 recollection of the chargeback of your saw in any of those charts?  14 Q. So from time to time work indicated to Ms. Herzfeld that you can you have any independent of the chargeback of your saw in any of those charts?  15 A. No.  16 Q. So from time to time work indicated to Ms. Herzfeld that you can you have any independent of the chargeback of your saw in any of those charts?  18 Q. So from time to time work indicated to Ms. Herzfeld that you can your saw in any of those numbers on the page on those numbers on the page	or marked 21:21:26 21:21:30 harts I'm 21:21:33 21:21:34 21:21:35 hose charts 21:21:38 data; is that 21:21:44 21:21:47 21:21:48 hendent 21:21:49 humbers that 21:21:53 21:21:58 21:22:00 hen you 21:22:02 hou thought 21:22:07 d you have 21:22:09 han seeing 21:22:11 the document 21:22:14
testifying on that issue?  21:19:30  3 charts, including those labeled  4 A. Yes.  21:19:31  5 Q. I just want to ask a few 21:19:32  6 questions so the record is clear on this.  21:19:37  7 Does chargeback data allow 21:19:39  8 Mallinckrodt visibility into all the sales of 21:19:41  9 its products made by distributor customers? 21:19:48  10 A. No.  21:19:48  11 Q. Do all distributor customers 21:19:48  12 submit chargeback information? 21:19:52  13 A. Yes.  21:19:53  14 Q. Do all customers of 21:19:54  15 Mallinckrodt product submit chargeback 21:19:59  16 Q. So from time to time windled the submit 21:20:03  17 A. No.  21:20:01  18 Q. And of those Mallinckrodt 21:20:03  21 chargeback requests, do they submit 21:20:08  21 that she provided you?	or marked 21:21:26 21:21:30 harts I'm 21:21:33 21:21:34 21:21:35 lose charts 21:21:38 data; is that 21:21:44 21:21:47 21:21:48 lendent 21:21:49 lumbers that 21:21:53 21:21:58 21:22:00 lynen you 21:22:02 lou thought 21:22:07 lynen you 21:22:09 lynan seeing 21:22:11 lynen decoument 21:22:14 21:22:16
testifying on that issue?  21:19:30  3	- or marked 21:21:26 . 21:21:30 harts I'm 21:21:33 21:21:34 21:21:35 lose charts 21:21:38 data; is that 21:21:44 21:21:47 21:21:48 lendent 21:21:49 lumbers that 21:21:53 21:21:58 21:22:00 lynen you 21:22:02 lou thought 21:22:07 ld you have 21:22:09 lan seeing 21:22:11 the document 21:22:14 21:22:16 lect to the 21:22:17
testifying on that issue?  21:19:30  3 charts, including those labeled  4 A. Yes.  21:19:31  5 Q. I just want to ask a few  21:19:32  6 questions so the record is clear on this.  21:19:37  7 Does chargeback data allow  21:19:39  8 Mallinckrodt visibility into all the sales of 21:19:41  9 its products made by distributor customers?  21:19:48  10 A. No.  21:19:48  11 Q. Do all distributor customers  21:19:48  12 submit chargeback information?  21:19:53  13 recollection of the chargeback in A. Yes.  14 Q. Do all customers of  21:19:54  15 Mallinckrodt product submit chargeback  16 requests?  21:19:59  17 A. No.  21:20:01  18 Q. And of those Mallinckrodt  21:20:03  19 customers that do from time to time submit  21:20:05  21 chargeback at through 57, roughly  5 Do you remember the clearefering to?  7 A. Yes.  Q. Okay. And many of the purported to reflect chargeback of your understanding?  11 A. Yes.  12 Q. Do you have any indeptor in the chargeback in a you saw in any of those charts?  13 A. No.  14 Q. Do all customers of  21:19:59  15 A. No.  16 Q. So from time to time with indicated to Ms. Herzfeld that you chargeback requests, do they submit  21:20:05  21 chargeback requests, do they submit  21:20:08  21 chargeback of through 57, roughly  5 Do you remember the clearefering to?  A. Yes.  Q. Okay. And many of the purported to reflect chargeback of your understanding?  11 A. Yes.  12 Q. Do you have any indeptor in the chargeback in purported to reflect chargeback in forms in the chargeback of your was win any of those charts?  14 Q. Do so from time to time with indicated to Ms. Herzfeld that you chargeback requests for every order they  21:20:05  22 that she provided you?  23 MS. HERZFELD: Object of the form.  21:20:16  23 form.	- or marked 21:21:26 . 21:21:30 harts I'm 21:21:33 21:21:34 21:21:35 lose charts 21:21:38 data; is that 21:21:44 21:21:47 21:21:48 loendent 21:21:49 lumbers that 21:21:53 21:21:58 21:22:00 lothen you 21:22:02 lou thought 21:22:07 lod you have 21:22:09 han seeing 21:22:11 the document 21:22:14 21:22:16 loce to the 21:22:17 21:22:19
testifying on that issue?  21:19:30  3	- or marked 21:21:26 . 21:21:30 harts I'm 21:21:33 21:21:34 21:21:35 lose charts 21:21:38 data; is that 21:21:44 21:21:47 21:21:48 lendent 21:21:49 lumbers that 21:21:53 21:21:58 21:22:00 lynen you 21:22:02 lou thought 21:22:07 ld you have 21:22:09 lan seeing 21:22:11 the document 21:22:14 21:22:16 lect to the 21:22:17

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1	QUESTIONS BY MR. O'CONNOR: 21:22:20	1	MS. HERZFELD: I'll read the 21:23:49
2	Q. With respect to any numbers 21:22:21	2	number in. 21:23:50
3	that you indicated to Ms. Herzfeld that were 21:22:24	3	MR. KO: Thank you. 21:23:50
4	correct, do you have any basis to believe 21:22:27	4	MS. HERZFELD: It's 21:23:51
5	that they were correct aside from aside 21:22:29	5	MNK-T1_0000387492. 21:23:54
6	from the numbers on the document? 21:22:31	6	QUESTIONS BY MR. KO: 21:23:58
7	MS. HERZFELD: Object to the 21:22:33	7	Q. Ms. Harper, just a moment ago 21:24:03
8	form. 21:22:34	8	Mr. O'Connor was asking you about whether or 21:24:
9	THE WITNESS: No. 21:22:34	9	not well, was asking you about chargeback 21:24:10
10	MR. O'CONNOR: What's the 21:22:35	10	information. 21:24:12
11	objection? 21:22:37	11	Do you recall that? 21:24:13
12	MS. HERZFELD: It's convoluted. 21:22:38	12	A. Yes. 21:24:13
13	QUESTIONS BY MR. O'CONNOR: 21:22:42	13	Q. And the document you have in 21:24:13
14	Q. Okay. Do you recall responding 21:22:42	14	front of you is an e-mail that you sent to 21:24:17
15	to Ms. Herzfeld that certain numbers she 21:22:43	15	someone at DEA regarding access and your 21:24:1
16	presented to you were appeared to be 21:22:47	16	utilization of chargeback info; is that 21:24:24
17	correct? 21:22:48	17	correct? 21:24:26
18	A. Yes. 21:22:49	18	A. Yes. 21:24:26
19	Q. With respect to those numbers, 21:22:49	19	Q. And at the very end of that 21:24:26
20	do you have any independent basis to believe 21:22:52	20	e-mail, there's a portion that's underlined. 21:24:29
21	they are correct? 21:22:54	21	Do you mind reading that into 21:24:31
22	A. No. 21:22:55	22	the record? 21:24:33
23	MR. O'CONNOR: Okay. That's 21:22:58	23	A. "That said, Mallinckrodt 21:24:33
24	all I have. 21:22:58	24	assumes that most transactions would result 21:24:38
25	MS. HERZFELD: I have one 21:22:58		
23	MS. HERZI EED. Thave one 21.22.36	25	in a chargeback request." 21:24:40
	Page 615		Page 61
1	question on redirect. 21:22:59	1	Q. Okay. And do you have any 21:24:42
2	REDIRECT EXAMINATION 21:22:59	I -	
2	REDIRECT EXAMINATION 21.22.39	2	reason to dispute that you wrote that 21:24:45
3	QUESTIONS BY MS. HERZFELD: 21:22:59	3	
3	QUESTIONS BY MS. HERZFELD: 21:22:59	3	language to the DEA on November 1, 2010? 21:24:4
3	QUESTIONS BY MS. HERZFELD: 21:22:59 Q. Based on those numbers we went 21:23:02	3 4	language to the DEA on November 1, 2010? 21:24:4  A. No. 21:24:50
3 4 5	QUESTIONS BY MS. HERZFELD: 21:22:59 Q. Based on those numbers we went 21:23:02 over, do you have any reason to think that 21:23:03	3 4 5	A. No. 21:24:50 MR. KO: Okay. That's all I 21:24:51
3 4 5 6	QUESTIONS BY MS. HERZFELD: 21:22:59 Q. Based on those numbers we went over, do you have any reason to think that 21:23:03 they'd be incorrect? 21:23:05	3 4 5 6	A. No. 21:24:50  MR. KO: Okay. That's all I 21:24:51 have. 21:24:52
3 4 5 6 7	QUESTIONS BY MS. HERZFELD: 21:22:59  Q. Based on those numbers we went 21:23:02 over, do you have any reason to think that 21:23:03 they'd be incorrect? 21:23:05  A. I don't know the answer, no. 21:23:07	3 4 5 6 7	A. No. 21:24:50  MR. KO: Okay. That's all I 21:24:51 have. 21:24:52  MR. O'CONNOR: All right. We 21:24:54 can go off the record. 21:24:55
3 4 5 6 7 8 9	QUESTIONS BY MS. HERZFELD: 21:22:59  Q. Based on those numbers we went 21:23:02 over, do you have any reason to think that 21:23:03 they'd be incorrect? 21:23:05  A. I don't know the answer, no. 21:23:07 MS. HERZFELD: Okay. Thank 21:23:11	3 4 5 6 7 8	A. No. 21:24:50  MR. KO: Okay. That's all I 21:24:51 have. 21:24:52  MR. O'CONNOR: All right. We 21:24:54 can go off the record. 21:24:55
3 4 5 6 7 8 9	QUESTIONS BY MS. HERZFELD: 21:22:59 Q. Based on those numbers we went 21:23:02 over, do you have any reason to think that 21:23:03 they'd be incorrect? 21:23:05 A. I don't know the answer, no. 21:23:07 MS. HERZFELD: Okay. Thank 21:23:11 you. 21:23:13	3 4 5 6 7 8	A. No. 21:24:50  MR. KO: Okay. That's all I 21:24:51 have. 21:24:52  MR. O'CONNOR: All right. We 21:24:54 can go off the record. 21:24:55  VIDEOGRAPHER: We are going off 21:24:55 the record at 9:24 p.m. 21:24:57
3 4 5 6 7 8 9 10	QUESTIONS BY MS. HERZFELD: 21:22:59  Q. Based on those numbers we went 21:23:02 over, do you have any reason to think that 21:23:03 they'd be incorrect? 21:23:05  A. I don't know the answer, no. 21:23:07 MS. HERZFELD: Okay. Thank 21:23:11 you. 21:23:13  MR. KO: I'm sorry, folks, but 21:23:13 I have one question, of course, in 21:23:14	3 4 5 6 7 8 9	A. No. 21:24:50  MR. KO: Okay. That's all I 21:24:51 have. 21:24:52  MR. O'CONNOR: All right. We 21:24:54 can go off the record. 21:24:55  VIDEOGRAPHER: We are going off 21:24:55 the record at 9:24 p.m. 21:24:57
3 4 5 6 7 8 9 10 11	QUESTIONS BY MS. HERZFELD: 21:22:59 Q. Based on those numbers we went 21:23:02 over, do you have any reason to think that 21:23:03 they'd be incorrect? 21:23:05 A. I don't know the answer, no. 21:23:07 MS. HERZFELD: Okay. Thank 21:23:11 you. 21:23:13  MR. KO: I'm sorry, folks, but 21:23:13 I have one question, of course, in 21:23:14 light of your redirect, and I have to 21:23:18	3 4 5 6 7 8 9 10	A. No. 21:24:50  MR. KO: Okay. That's all I 21:24:51 have. 21:24:52  MR. O'CONNOR: All right. We 21:24:54 can go off the record. 21:24:55  VIDEOGRAPHER: We are going off 21:24:55 the record at 9:24 p.m. 21:24:57 (Deposition concluded at 9:24 p.m.) 21:24:58
3 4 5 6 7 8 9 10 11 12	QUESTIONS BY MS. HERZFELD: 21:22:59 Q. Based on those numbers we went 21:23:02 over, do you have any reason to think that 21:23:03 they'd be incorrect? 21:23:05 A. I don't know the answer, no. 21:23:07 MS. HERZFELD: Okay. Thank 21:23:11 you. 21:23:13  MR. KO: I'm sorry, folks, but 21:23:13 I have one question, of course, in 21:23:14 light of your redirect, and I have to 21:23:18 use a document for it. 21:23:20	3 4 5 6 7 8 9 10 11 12 13	A. No. 21:24:50  MR. KO: Okay. That's all I 21:24:51 have. 21:24:52  MR. O'CONNOR: All right. We 21:24:54 can go off the record. 21:24:55  VIDEOGRAPHER: We are going off 21:24:55 the record at 9:24 p.m. 21:24:57 (Deposition concluded at 9:24 p.m.) 21:24:58
3 4 5 6 7 8 9 10 11 12 13	QUESTIONS BY MS. HERZFELD: 21:22:59 Q. Based on those numbers we went 21:23:02 over, do you have any reason to think that 21:23:03 they'd be incorrect? 21:23:05 A. I don't know the answer, no. 21:23:07 MS. HERZFELD: Okay. Thank 21:23:11 you. 21:23:13 MR. KO: I'm sorry, folks, but 21:23:13 I have one question, of course, in 21:23:14 light of your redirect, and I have to 21:23:18 use a document for it. 21:23:20 (Mallinckrodt-Harper Exhibit 62 21:23:26	3 4 5 6 7 8 9 10 11 12 13	A. No. 21:24:50  MR. KO: Okay. That's all I 21:24:51 have. 21:24:52  MR. O'CONNOR: All right. We 21:24:54 can go off the record. 21:24:55  VIDEOGRAPHER: We are going off 21:24:55 the record at 9:24 p.m. 21:24:57 (Deposition concluded at 9:24 p.m.) 21:24:58
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1	CERTIFICATE	1	ACKNOWLEDGMENT OF DEPONENT
2			ACIDIO WEEDOWENT OF DEFONENT
3	I, CARRIE A. CAMPBELL, Registered Diplomate Reporter, Certified Realtime Reporter and Certified Shorthand Reporter, do hereby certify that prior to the commencement of the examination, Karen Harper was duly sworn by me to testify to the truth, the whole truth and nothing but the truth.  I DO FURTHER CERTIFY that the foreging is a verbatim transcript of the	3	
4	Reporter and Certified Shorthand Reporter, do	4	I,, do
_	hereby certify that prior to the commencement		hereby certify that I have read the foregoing
5	of the examination, Karen Harper was duly sworn by me to testify to the truth, the	5	pages and that the same is a correct
6	whole truth and nothing but the truth.		transcription of the answers given by me to
7	I DO FURTHER CERTIFY that the	6	the questions therein propounded, except for
8	testimony as taken stenographically by and		the corrections or changes in form or
9	before me at the time, place and on the date hereinbefore set forth, to the best of my	7	substance, if any, noted in the attached Errata Sheet.
	ability.	8	Errata Sheet.
10	•	9	
11	I DO FURTHER CERTIFY that I am	10	
	neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor	11	
12	action, and that I am neither a relative nor	12	
13	employee of such attorney or counsel, and that I am not financially interested in the		Karen Harper DATE
14	action.	13	
15		14	
16		15 16	Subscribed and sworn to before me this
17	CARRIE A. CAMPBELL.	17	day of, 20  My commission expires:
1.0	NCRA Registered Diplomate Reporter	18	iviy commission expires.
18	CARRIE A. CAMPBELL, NCRA Registered Diplomate Reporter Certified Realtime Reporter California Certified Shorthand	19	Notary Public
19	Notary Public	20	
20	Dated: January 21, 2019	21	
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25	Page 619		Page 621
25	Page 619 INSTRUCTIONS TO WITNESS	1	Page 621
		1	Page 621 ERRATA
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